

The Nation.

NEW YORK, THURSDAY, MAY 7, 1874.

The Week.

THE tardy resolution of the importers in exposing the tyranny of the moiety informers appears to be near its reward. A bill in their behalf has just been reported from the Ways and Means Committee, and it will in all probability become law. The features of it which will mainly interest the general public are, first, that it forbids an indiscriminate seizure of books and papers, and makes it necessary for the prosecuting officer to specify in a written notice such book, paper, or invoice as he needs for evidence of the offence alleged; secondly, that if a merchant, by act or by omission, attempts to make a fraudulent entry of goods, the law directs the levy of a \$5,000 fine for each offence, and declares that the goods involved (but only the particular goods involved, and not the whole invoice) shall be forfeited; thirdly, it provides that officers capturing goods in the act of being smuggled, or which have been smuggled, shall have, as a fee, one-half of the value of the property after all costs and charges have been paid, while persons (other than officers) who by giving original information lead to the discovery of goods wrongfully entered, shall have a reward which shall never exceed \$5,000; fourthly, it makes guilty of a felony, and condemns to ten years' imprisonment and a fine of not less than \$10,000, any officer of customs, special agent, or district-attorney who shall compromise or settle any claim of the United States under the customs laws, or remit any fine, penalty, or forfeiture; finally, it provides that in all suits of which the object is an enforcement of forfeiture on account of wrongful entry of goods, it shall be the duty of the court to require of the jury a special finding as to whether there was fraudulent intent; if there were not, the Secretary of the Treasury may, notwithstanding the section relative to the felony of compromise, remit the fine or other penalty incurred.

The persistent attacks on Judge Noah Davis still continue, and their scandalous character makes it all the more to be regretted that the Bar, as a body, does not take any notice of the matter. The impression has been created (in part, it seems, by incorrect reports of the evidence sent from Washington by the Associated Press) that Judge Davis acted in the Phelps-Dodge case in a double-faced manner, and this impression was, we supposed, correct. We find, however, after a thorough examination of the testimony, that we were wrong in supposing so, and we are glad to take this opportunity of stating our conviction that from first to last Judge Davis acted in the case in a perfectly professional and upright manner. He had nothing to do with the case whatever except between the 26th and the 31st of December, 1872, and in these six days his only duty was to answer certain questions propounded to him by the representatives of the Government which employed him. As District-Attorney, it was his duty to advise the Government, and this he did. He never had at that time any opportunity to pass upon the question of intent to defraud. When his advice was taken by the Government, he gave an opinion to the effect that the firm had committed, under the law, a technical forfeiture; after his term of office expired, and many facts had come out which were not known before, he gave the firm a letter, stating that they had not been guilty of actual intent to defraud. There was no inconsistency here. It would have been ridiculous for him as District-Attorney, merely because the law allowed him fees in such cases, to refuse to give such information of the operation of the law as might be required of him. The letter to Phelps, Dodge & Co. written afterwards does not put Judge Davis's behavior in any different light. It has been no uncommon thing for firms which have been descended upon by the Custom-

house authorities to apply to the District-Attorney for a letter which would show them to have been guiltless of any fraudulent intent, and such letters have been written before now; but this though it illustrates the character of the law, does not show Judge Davis to have done anything wrong. The letters from Judge Davis to Jayne, from which Bliss published extracts in such a way as to distort the meaning, and about which some talk has been made, contain nothing more than natural references to these and other transactions.

The late Mr. Sumner's supplementary Civil Rights Bill, as amended in committee, has been a principal topic of discussion in the Senate, but nothing has been done with it. It was reported by Mr. Frelinghuysen, who, in support of it, said that the man who should refuse to admit a German child into an American school, on the ground that its father was merely a naturalized citizen, would be guilty of a crime. So also of the man who should refuse admission to a colored child. Mr. Thurman thought that the penalty for such refusal as laid down in the bill was monstrous. It is that the offending party shall pay \$500 to the party aggrieved, and that, having been guilty of a misdemeanor, he shall further pay a fine of \$1,000, or be imprisoned for not less than thirty days and not more than one year. Mr. Conkling replied that the prejudice which would bring a man into danger of the punishment "had been pretty well trampled out in blood on this continent." Mr. Norwood (of Georgia) made a peculiar speech, the raciness of its expressions being fitted better for a Georgia audience than for the Senate. His main point was that, as the bill affected school, theatre, hotel, and church, it is absurd to say that it has nothing to do with social relations. Of the question whether the bill—apart from all its bearings on Northern and Southern opinions and prejudices—may not affect very injuriously the school systems of several States, nothing was said in the Senate, although much was said in the House when the matter was there discussed.

To-day week, besides speeches on this bill, there was discussion of the bill increasing the force of the Pay Department of the Army, which is thus far interesting to the public that it brought from Mr. Logan a proclamation of his continued confidence in President Grant. Amendments being offered to the bill which would have made it the President's duty to appoint the additional paymasters from such and such classes of officers or ex-officers, Mr. Logan took occasion to say that the President knew whom to appoint quite as well as senators could tell him; that some persons on the floor of that chamber seemed to have lost confidence in the President within a few days, but for his part he had as much confidence in him as ever. On Friday, Mr. Conkling offered a bill authorizing the President to appoint a commissioner to confer with the commissioners of other powers and fix upon ocean courses for steamships. On Monday, an old bill was revived having for its object the abolition of the present form of government of the District of Columbia. This is thought by some to point to Republican disgust at the revelations before the Joint Investigating Committee now in session; but it is asserted more probably by others to be prompted by a willingness to have the scheme brought into the committee's report, which would be favorable to its chances. There is much patronage in it.

The House has debated the Foreign Affairs Committee's bill in reference to the jurisdiction of the United States Government over citizens resident abroad, but no conclusion has been reached, nor do the Associated Press reports give any clear account of the debate. These reports indeed are commonly very blind. On Friday there were speeches on the Indian Appropriation Bill, and an assault was made on the peace policy, as it is called, by Mr. Beck, and on the

general policy of doing anything at all about Christianizing or civilizing Indians, by Mr. Wood of New York. Mr. Beck said one thing which is undoubtedly true, but which has been very much lost sight of, and that is that the officers of the army are very far from being in a state of chronic desire for an Indian war. No glory or honor, he said, was to be got nowadays in fighting Indians any more than in fighting a hive of bees. He scoffed at the notion of giving ploughs and spades to Indians whom you could not catch with a lasso, and who could not be made to refrain from the war-path. At the same time, he expressed his belief that the estimate which makes the cost of the Indian wars of the last forty years to have been \$500,000,000, is not an overestimate. A thorough overhauling of the entire system, with all its excrescences, would dispose of a great many stock arguments that come out incoherently whenever the Indian appears in Congress. On Monday there was a financial breeze in the House. Mr. Dawes introduced a currency bill, Mr. Hooper another, of which he disclaimed the authorship, General Butler being its projector, and Mr. Kasson tried to get what is known as the Comptroller's Bill through the House. This bill in effect enables the surplus currency of the Eastern States to be drawn off into the Western, provided there is any one to take it, in about a month, instead of a year or a year and a half, as under present provisions of law. Mr. Kasson was defeated by a vote to adjourn; and the vote is explained to mean that the inflationists are not yet ready for anything in the nature of a compromise. Both sides are awaiting the result of the Senate Finance Committee's deliberations. On Tuesday there was an embittered discussion relative to the proposed relief of the people made destitute by the Mississippi floods. In brief, it was to the effect, as stated by Mr. Alcorn, that thieving Radical levee contractors had done infamously bad work on the levees; whereupon Mr. Conkling wanted to know if Mr. Alcorn's son was not one of the commissioners, and Mr. Alcorn said yes, that his son was a commissioner against his father's advice, and that his son's district was the only one not overflowed.

The Ways and Means Committee have made their report on the Sanborn contracts through Mr. Foster of Ohio. The committee recite the history of the law of May 8, 1872, showing that under it several contracts were made—one with W. H. Kelsey, an ex-member of Congress, "who appears," the committee says, "to have been mainly instrumental in securing the passage of the law," and who made so little progress with it that on the 3d of August he requested that the contract might be withdrawn, and that Malcolm Campbell of Philadelphia should succeed him. On the 13th of August John D. Sanborn, described by the committee as "a resident of Massachusetts, who is represented as having been personally acquainted with Secretaries Boutwell and Richardson," obtained a contract, signed by W. A. Richardson, acting Secretary of the Treasury, for whiskey taxes, Sanborn being at this time in the employ of the Government as special agent of the Treasury Department, his service as agent beginning in 1869 and ending May 31, 1873. While Sanborn was special agent, he employed a man named Warwick Martin of New York, in 1871, to "work up" some whiskey cases, and for this work he was paid \$3,000 by the Treasury, and his employment led to the indictment of a number of persons, whose cases were of course just those on which Sanborn afterwards obtained his whiskey contract. The committee, in considering the question as to who is responsible for the execution of the law, declare that it is utterly impossible to fix the responsibility anywhere; that Messrs. Richardson and Sawyer testified that Solicitor Banfield was responsible, as he drew the papers; but that the Solicitor swears that the Secretary or Assistant-Secretary must be responsible, as he, the Solicitor, is a mere subordinate and acted under their orders; and Mr. Richardson can positively swear to nothing except his signature, which he believes to be genuine. It seems to us, however, and we fancy it will seem to most people, that in this part of their report the com-

mittee, though giving a very amusing description of the testimony, take a childish and feeble view of responsibility. Mr. Richardson is the responsible person in these contracts, for the simple reason that, being at the head of the Treasury Department, he could at any moment have put a stop to the whole thing.

The committee then gives the history of the legacy, succession, and railroad-dividends contracts, which were also signed by Mr. Richardson. As to the sources from which Sanborn obtained his information as to the delinquent roads, the committee say that he first got his facts from the Government, and then charged the Government fifty per cent. for furnishing them; that his list of railroads was taken from a railroad guide, and was "substantially the entire list of the railroads within the United States"; and that, according to Sanborn's testimony, when he represented his ignorance as to the actual delinquency of some of these roads to the officers of the Treasury Department, he was told that "it didn't make any difference, and to put them all in," though the officers of the Treasury "seem to have no recollection" of this remark; that while the law provides certain safeguards against lax execution of the law, and while Mr. Boutwell, on June 8, 1872, issued an order directing the execution of the provisions, the conditions from that day to this have never been complied with; that the Internal Revenue Commissioner was never informed of what was going on, though by the curiously-worded orders issued by the Treasury, reversing the words of the law, all the commissioner's subordinates were turned over to Sanborn and directed to "assist" him, and in fact "the whole power of the Internal Revenue Bureau, as well as the entire machinery of the Government for the collection of taxes, was placed at the disposal of Sanborn." The committee also find that the history of the Delaware, Lackawanna, and Western case conclusively shows that "some one in the Treasury Department must of necessity have advised Sanborn of the remittance of the check" by the Company; that some of the agents of Sanborn, "not employees of the Government," were furnished by the Secretary and Assistant-Secretary with "special letters" and "secret service detective commissions" without authority of law; and the committee declare it to be their opinion that "a very large percentage, if not all" of the taxes collected by Sanborn were "not a proper subject of contract under the law," and "would and should have been collected" by the officers of the Internal Revenue Bureau "in the ordinary discharge of their duty." The committee recommend the repeal of the law, the withdrawal of any existing contracts, and a distinct exclusion from the courts of all claims for damages.

A controversy is going on in some of the Western papers as to whether the West really favors inflation, and whether Eastern papers in assuming that it does are not guilty of injustice to it. Eastern papers would at least have some excuse for falling into this error, if error it be, as time we suspect will show that it is. The *Chicago Tribune*, and the *Inter-Ocean* of the same city, have been leading contestants in making out lists of newspapers which support and of those which oppose the late veto message. Down to May 1, these lists, as given in the *Tribune* for the ten Northern States west of Ohio, stood thus: total number of exchange papers from these States, 208; for the veto, 126; against the veto, 68; uncommitted, 14. It appears, too, that, as the country press is heard from, the gains of the pro-veto column exceed by a very good figure the gains of the other. The set of the tide is evident, and the anti-repudiation minority in Congress will be justified in using forcible language to a large number of the majority that has been so loudly confident of the "demand of the people" during the past four months. For example, the Keokuk (Ill.) *Gate City* says: "Mr. McCrary voted for the bill; but surely he cannot claim that there was any demand in his district that he should vote for it. Every daily paper of both parties in his district was opposed to the bill and endorses the veto; every weekly paper in his district, of both parties, so far as we now recall, was opposed to the bill." The editor goes on to

say that in Burlington and Keokuk, the two chief commercial places in the district, ten people support the veto for one who opposes it, and that he thinks the proportion is much the same in the country towns and villages. A significant fact brought out by the *Chicago Tribune* is that of the nine Scandinavian papers in the Northwest every one is opposed to expansion; and as for the German press of the entire country, Mr. Hermann Raster says that "its position as regards inflation is such that you [the *Tribune*] would have to print a list of all German papers, except, perhaps, one daily and a couple of six-by-nine weeklies, as anti-inflationists and supporters of Grant's veto. It is all one way."

Some of the principal railroads in Wisconsin and Iowa have taken legal advice on the subject of cheap transportation, and in accordance with it have declined to obey the Wisconsin law regulating rates. It is understood that Messrs. Everts, Hoar, B. R. Curtis, and other eminent lawyers advised the roads that the Wisconsin legislation (and there is no difference in principle between the legislation in that State and many others in the West) could not stand a day if brought before the courts. There is now some talk of warfare between these roads and the State authorities, and the Governor has issued a proclamation advising everybody to submit to the law. The news of the trouble with the Wisconsin roads had an immediate effect in Wall Street in depressing prices, and of course it does something to keep trade dull. It would be a very good thing if the roads would actively contest the matter, and, as they threaten to do, take off their cars if the State enforces the law. The President of the St. Paul road has written a letter to the Governor protesting against the law, and making a statement showing that with the legal rates his road could not pay the interest on its bonds by \$500,000, and on its stock no dividends at all could be earned. We have discussed elsewhere the report of the Senate Cheap Transportation Committee, whose remarks on the subject of rate regulation gain additional importance from this Wisconsin controversy.

Yesterday week Mr. Schurz fulfilled the duty of delivering at Boston a funeral oration in honor of Mr. Sumner. It was a skillful display of a rare talent for public speaking. The address was interesting throughout, though perhaps slightly weighted at the beginning with biographical details; but it had some felicities worthy of an accomplished rhetorician, and several passages of oratorical dignity. It was very cordially received by one of the most critical of audiences, who knew Mr. Schurz by his high reputation, but most of whom had not previously heard him, and who listened at first with curiosity and afterwards with pleased admiration. At the beginning, Mr. Schurz said that the city's invitation could not be declined, but that a greater triumph to Sumner's memory might have been prepared had the invitation been given, not to Sumner's friend, but to some one of those who had stood against him in all the struggles of his life. He was sure that there were now many such to whose sense of justice the office might safely have been confided. A fine passage further on in the address gave sufficient reasons for this faith and belief by bringing out prominently as one of the three things which Mr. Sumner had most at heart, at the time of his death, the cultivation of kinder feelings between the North and South; by drawing a striking picture of the real and deep affliction into which Mr. Sumner seems to have been plunged by home censures of his attempt to remove from the Federal flags, as injurious to the feelings of Southern men, the names of recent battle-fields; by an assertion of the loftiness of motive which led to this conciliatory action; and by an historical vindication of its policy. This will seem to the reader the most eloquent part of the oration. Next after his reference to the Southern men who would now gladly be the eulogists of their old antagonist—a reference the truthfulness of which Mr. Lamar well verified in the House—the orator went on to describe Mr. Sumner's early life; showed him as he grew up an idealist, and what may justly be called an impracticable idealist, amid his books

and studies; traced his career after he had begun to carry this idealism into practical politics, and to do so with a self-appreciation and a moral fervor the extent of which all now know, and the results of which are understood; described his personal character with a friend's affection; and analyzed and estimated his public character with generosity, as was fitting, but with discrimination also and a proper if subdued recollection of the defects of the dead.

The District Investigating Committee brings to light from week to week new frauds. The history of the paving contract made with De Golyer & McClellan is rather a remarkable one. The cost of laying the pavement was \$1 50 a yard; the contract price, \$3 50. The firm got a contract for 200,000 yards, and, for obtaining it, agreed to pay a Mr. Chittenden of Chicago, described by McClellan as a man of lordly presence and princely habits, one-third of the profits and \$97,000 besides, part of which Chittenden needed to pay his expenses, and part to enable him to pay "a portion of the national debt." The work under this contract was begun in July, 1872, and, De Golyer dying, his interest was bought by Judge C. E. Jenkins of Chicago, who in this way became possessed of all the private correspondence which had passed between Chittenden and the firm. When summoned before the committee, he announced that he had destroyed it all because it contained imputations upon public men which "he had learned Chittenden would not swear to," and because he believed that Chittenden had been "stuffing" De Golyer and McClellan; that he had "magnetized" them, and got \$97,000 for doing nothing at all. The \$72,000, which Chittenden received in notes, has been very difficult to trace. He gave them, it seems, to a lobbyist named Kirtland, who sold them to "Ira Holmes of Chicago." Benjamin Nickerson, who worked in conjunction with Chittenden, swears that among those helping on the contract were Judge Dent, since dead, and General Dent, at that time on duty at the White House. It seems from Chittenden's testimony that in getting the contract he first approached Huntington, the cashier of the First National Bank, of which Gov. Cooke was President (the firm of Jay Cooke & Co. being interested in the "real-estate pool" to the amount of \$25,000), and agreed to pay him thirty or forty cents a yard if he would get the contract for him. Huntington, however, unfortunately died in March, 1872, and Chittenden after that "was despondent for a few days," until he met the Rev. Mr. Brown, who had been United States Consul at Hamburg, and had with him a "certificate from the Episcopal Bishop of New Jersey," and was a man of "sympathetic nature." Mr. Brown introduced Chittenden to the Hon. Richard Parsons, Marshal of the Supreme Court, and at the same time he casually formed the acquaintance of Mr. Kirtland, to whom he gave \$72,000. Kirtland has with great difficulty been brought before the committee, but he can throw no light on these transactions, while the testimony of Moore, Shepherd's old partner, shows that at one time he too was in negotiation with Kirtland for part of the spoil—a disclosure which astonished Shepherd so much that he declares himself to have lost all faith in human nature.

Marshal Serrano has, by dint of attacking and with the aid of all the forces that the Government could supply, at last compelled the Carlists to retire from before Bilbao in great disorder, and has entered that city in triumph. The excitement aroused by this news at Madrid is said to have been intense, and no wonder. The blow is a heavy one for the Carlists; that it is fatal, in the sense of suppressing the insurrection, there is however no reason to believe. They will probably now become, what they were a year ago, a series of guerilla bands, keeping up a war of surprises in the mountains. What use Serrano will make of his victory it is useless to speculate. He may set Alfonso up, but it is most likely that he will keep power for himself for some time longer. The possession of it is pleasant when he is successful, and there is no particular reason why he should just now give it up. But we advise those who purpose to "hail" his republic to do so speedily, as there is no telling how long it may last.

THE PRESIDENT'S POSITION IN ARKANSAS.

TO discuss the exact legal rights and wrongs of the Arkansas imbroglio would be very tedious, even if it were necessary; but it is not necessary. The fact is that there are two persons claiming the title and exercising or seeking to exercise the executive powers of the State government, one of which derives his authority from the legislature, and the other from the courts—and both have a color of right. But as matters stand, there is no power in the State capable of deciding between them. Baxter denies the competency of the courts, and Brooks the competency of the legislature. Behind or above these there is nothing in the State government to appeal to. When a crisis of this sort arises in an independent community, an appeal to force follows, and rightly follows, as a matter of course, and the government passes, as it ought to pass, into the hands of the stronger of the two parties. Perfect justice may not be worked in this way, but anarchy is prevented, and anarchy is the worst of political and social evils; in fact, it is the sum of all evils.

Now, as it would defeat the very object of a Federal Government to permit the settlement of disputes between States, or internal disputes in States, by war, the United States Constitution has made provision for just such crises as that which has arisen in Arkansas, by declaring that the President shall, on the application of the governor, when the legislature is not in session, lend the aid of the national forces in suppressing local disorder. This he cannot do, however, without deciding for his own guidance what is the legislature or who is the governor. In order to execute this provision of the Constitution, he must make up his mind on this point under such influences or arguments as he himself is pleased to select.

In the case of Arkansas, he has thus far refused to come to any conclusion as to who is the lawful executive of the State, although a condition of war between two political factions has actually existed at the capital for nearly a month. There was one other course for him to follow, and that was one of total abstinence from all interference whatever. If he had followed this course, there would have been much excuse for it to be found in the unfortunate results of his interference in Louisiana, where he was just as prompt in deciding who was governor as he is slow in deciding it in Arkansas. In case of such abstinence, civil war and bloodshed would have followed as a matter of course, but it would have worked a remedy. By this time either Baxter would have stormed the State-house and killed Brooks and dispersed or slaughtered his followers, or Brooks would have killed or dispersed Baxter and his followers—a result which in neither case would have been wholly lamentable. It would by this time have worked a cure; order would have been restored; the machinery of the State government have been set in motion; the white and black vagabonds now congregated in Little Rock sent back to lawful industry; the paralysis which has overtaken the industry of the State removed; and the tide of immigration into it, which these troubles have arrested, renewed. Of course, it would be a cure to which no American State ought to have to resort, but a cure it would be.

As matters stand, the President has not refrained from interference, but his interference has been of a sort for which it is impossible to find any authority in the Constitution, and which, instead of putting an end to strife, has helped to protract it. He has sent troops to Little Rock without requisition, and he uses them both to prevent Baxter from attacking Brooks and Brooks from attacking Baxter. But if Brooks be the lawful governor, it is his duty to arrest Baxter and disperse his forces at any cost; whereas if Baxter is the lawful governor, his oath obliges him to assault the State-house, and drive Brooks and his followers out of it, and if possible arrest and bring them to justice for seizing it. That there is no lawful governor in the State is a theory which it is not permissible to hold. The Federal troops at Little Rock are therefore actually, and have been for some weeks past, engaged in preventing the State authorities from executing the laws. This is a position which we sincerely trust General Grant perceives by the time to be no longer tenable. He is bound either to withdraw, or

to help one of the two parties. His caution is perhaps commendable in view of what has happened in other parts of the South; but he can scarcely fail to see that it is not open to him to commit in Arkansas the errors he committed in Louisiana. Here he permitted the troops to be employed in carrying out against the State legislature the illegal orders of an incompetent court, in behalf of a local faction of which his brother-in-law was a leading member, and he persisted in recognizing out of his own head as the lawful governor of the State a person whom the Judiciary Committee of the United States Senate had, after careful examination, pronounced a usurper. No similar complication presents itself in Arkansas. The field is there fairly open to him for a decision, which, whatever it may be, will be strictly within his competence, and is sure to prove a safe and efficient remedy. If he will signify to either Baxter or Brooks that he will respond to a requisition from him for aid in suppressing domestic violence, he will not only give much-needed relief to the suffering people of Arkansas, but he will repress the growth amongst us of Spanish-American habits of government, which, in hybrid communities such as the Southern States have become, are already working infinite mischief. Even a few weeks of such scenes at a State capitol as a correspondent describes in another column, teach political adventurers and the trash of the population, both white and black, a dangerous lesson in lawlessness, and give thousands of the poor a distaste for industry and a love of roystering and roving. It is a national danger as well as disgrace that they should have lasted so long.

THE CHEAP TRANSPORTATION REPORT.

THE opponents of what has been known as the Cheap Transportation Movement for the last year or two have opposed it generally on very simple grounds. They have not refused to believe that there have been great abuses in railroad management; that many roads have been built and worked in a reckless and expensive way, or that there is a close connection between the good management of the enormous railroad system of the country and the cost of breadstuffs; but what they have maintained, and maintained through a good deal of obloquy and abuse, is that any attempt to secure cheap transportation by political means, whether by regulations imposed by State legislatures or by Congress, was sure to prove a failure; that bad as the private management of corporations might be, it was infinitely better, and more likely to produce fair charges for transportation, than any public supervision; that all the experiments tried in this country and abroad pointed to one conclusion: that political regulation always resulted in failure. Incidentally, the opponents of the current transportation delusions have attempted to expose the fallacy underlying the talk about "stock-watering"; but their main argument has always been the impracticability of the reform proposed in the substitution of Government regulation for the regulation established by natural laws.

The report of the Senate Transportation Committee, made the other day by Senator Windom, furnishes almost conclusive evidence that these arguments were correct. The speech with which the report was submitted does indeed contain some of the old, vague talk of stock-watering, and suggestions as to competition afforded by Government-built and Government-operated roads, as well as a recommendation for an elaborate system of water improvements at an expense of \$25,000,000 a year for five or six years, on the ground that water competition has thus far proved the only effective means of restricting railroad extortion—although the same report shows that the canals themselves are beginning to pass under the control of the railways, the well-known Pennsylvania Company having purchased and leased some 360 miles of the Pennsylvania canals, which it has since improved at a large expense, and now operates, "even those which run parallel with the railway"; while the New York Central is attempting to gain control of the Erie canals, and the Pennsylvania and Reading Company (which the report says "transports freight—principally iron, coal, and other minerals—at less cost per ton per mile than any other railroad in the United

States") "operates two canals." But this part of the report can hardly have much practical effect on this Congress, and that part of Mr. Windom's speech and report which discusses the constitutional power to "regulate commerce," and in which he certainly displays the prejudices of a very liberal constructionist, is so windy that we can hardly imagine that he relies much upon it. The only part of the report which is thoroughly definite and to the point is that which is occupied with proving conclusively that since the introduction of railroads there has been no such thing as effective regulation of fares or freights; that whenever the experiment has been tried it has failed.

Seven different ways have been attempted in this country and in Europe to reduce rates by legislative means: "equal mileage rates," "rates fixed by relation to cost and profit on capital," "immediate reduction of rates," "periodical revision of rates," "absolute limitation of dividends," "division of profits beyond a certain limit between the companies and the public," and "maximum rates." As to the "equal mileage rates," the committee say—exactly what the opponents of the Granger movement have always said—that "it is a fact susceptible of the clearest demonstration, that it actually costs more per mile to transport a short distance than a long one; and this principle has received universal recognition by railway managers."

The Committee say:

"The enforcement of equal mileage rates, instead of bringing relief to the producers in the distant interior of the continent, would add very largely to their present burdens. The average charges for transporting all freights on the leading trunk lines between Chicago and New York, in 1872, was about 1½ cents per ton per mile, which on a bushel of wheat would amount to about 44 cents. The actual average charge by rail, per bushel, was 33½ cents. Hence, an equal mileage rate on those lines, if adjusted upon the basis of their average charges, would have reduced the value of the 213,000,000 bushels of wheat and corn moved that year about 10 cents per bushel, amounting to an aggregate loss to the producers of \$21,000,000, with no compensating gain to the consumers. And as the price of wheat and corn at the West, as well that part which remains at home as that which is sent abroad, is fixed by the market-price in Liverpool, less the cost of transportation, the loss to the Northwestern States on the entire crop of that year, estimated at over 900,000,000 bushels, would have amounted to the enormous sum of \$90,000,000. Such a law, if permanently enforced, would, by the reduction of ten cents per bushel on the value of the cereal crop of the Northwest, reduce the value of the farms in that section by an amount which would build and equip all the trunk lines of railroad from Chicago to New York.

"Not only would an equal mileage rate, if applied to the whole country, impose additional burdens on those sections most in need of relief, but it would tend to destroy whatever of competition now exists. This fact is demonstrated by the operation of the *pro-rata* law of the State of Illinois. At many points in that State the people have contributed largely to aid the construction of a second road, for the purpose of securing competition. The two roads are not the same length. But the law says that both shall charge the same rate per mile. The longer one being compelled to charge more to the common point of destination, is, of course, driven out of competition, and the shorter one takes a monopoly of the business. The people who have contributed to build competing roads thus find themselves taxed to pay the cost of transportation for others who have been less enterprising. A general *pro-rata* law applied to the whole country would indefinitely multiply such evil results at competing points, without any compensating benefits at other places. The non-competing points would not be benefited, for if by reason of low rates, at the point of competition, a largely increased traffic should be created, from which the company could make a small profit, it would be enabled, to the extent of such profit, to reduce the rates at the intermediate point."

This pricks the *pro-rata* bubble effectually.

The attempt to fix rates by "relation to cost and profit on capital" an English Parliamentary committee in 1872 declared to be "attended with difficulties which are practically insuperable." If this is true in Great Britain with 15,000 miles of railway, "what shall be said of the United States with their 70,000 miles?" In order to establish a rule of charges based on cost and profit, we must investigate the circumstances and conditions of every one of our thirteen hundred roads. We must know all about each road; its original cost; how much of its capital is real and how much fictitious; how much was actually paid on its stock; and what proportion of the profits charged to capital account should have been charged to expenses. Having completed this investigation, which would necessarily involve an examination and readjustment of the accounts of the companies from their organization, profits must be considered. In order to adjust charges to profits by a gene-

ral rule of law, the actual profits now, and what they will be in the future, must be known. This requires a knowledge of grades and curvatures; the cost of fuel, supplies, and other items of working expenses; the amount of business the road now does, and what it will continue to do; the economy or extravagance with which it will be managed; the condition and character of its construction and equipment; how long its iron, ties, and rolling-stock will last, and what it will cost to replace them; the storms of winter and the floods of summer it will probably encounter; and, finally, the losses which will result from accidents of all kinds. This completed, the nature of its traffic is to be investigated, so as to know what relation the various classes of goods bear to each other in cost of transportation; what charge each class will bear without injury to the business interests of the country; and how much the expense of carrying a ton of silk goods twenty-five miles per hour exceeds that of carrying a ton of corn ten miles per hour. "When we have thus informed ourselves with reasonable accuracy in regard to all these details, we shall be prepared to commence the investigation of the next road on the list, and so on through the one thousand three hundred. By the time we have completed the investigation, the changed conditions and circumstances of the roads, and the rapid changes in the business of the country, will render a re-examination imperatively necessary."

These objections, of course, apply with as much force to the "immediate reduction of rates" and to "the periodical revision of rates" as to the "absolute limitation of dividends." This in the first place involves a periodical revision, because it is an impossibility to know when dividends should be limited unless we have all the facts about cost, profit, capital, etc. And the absolute limitation of dividends is open to another objection—that it would "encourage extravagance, stock-watering, and corruption." If the limitation were not enforced, of course it would have no effect in cheapening transportation. If it should be enforced, the limitation would be a direct inducement to bring the profits within the limits by means of high salaries, fat contracts with directors, and other devices not already unknown nor unpractised. The "division of profits beyond a certain limit between the companies and the public" would partially obviate the objection urged against an absolute limitation of dividend, because in proportion to the amount which might be added to the profits of the company, an inducement to economy would exist. But other difficulties, which in Great Britain are declared to be "insuperable," would remain. It would involve the obnoxious task of selecting special traffic and special rates for reduction, and of deciding what should be the amount or description of any particular reductions, and in whose favor they should be made. A regulation of this kind, the Committee say, was once adopted in England, but it never went into effect. It has been tried in France, but, on account of the difficulty of selecting rates and classifications of goods on which to apply it, the reduction has been abandoned, and one-half the surplus profit is paid into the national treasury. "There is, therefore, but little encouragement to try the experiment in this country, where, by reason of the larger number of our roads, and the greater diversity of conditions and of traffic, as well as the instinctive aversion of our people to meddlesome governmental interference in private affairs, vastly greater difficulties would be encountered than in France or England." With regard to "maximum rates," whether established by Congress or a commission, the result of experiments in England, France, and Germany shows them to be of little use, because, as the term *maximum* implies, they are not supposed to be actual rates, but a mere limitation, and as such "must be high enough to pay the actual cost of transportation and leave a margin large enough to provide a fair return for capital honestly invested, and to cover all contingencies"; and the result is that, as a rule, the natural laws of railroad development carry the actual charges below the maxima, so that the maxima furnish little real safeguard against extortion.

These are the facts and arguments of the Committee which has been investigating the transportation question for a year past, on the subject of Congressional regulation of the railroad system. We

doubt if a more conclusive reply to the demands of the visionary Western politicians could be made. It is, so far as the nature of the subject admits, a demonstration that, if Congress undertakes the regulation of fares and freights, it will have either one of two effects—it will fail, and not be enforced; or it will be enforced, and will in that case throw the transportation system of the country into such a state of confusion as will affect the business of the country more deeply and permanently than the panic of last autumn, because it can only come from an utter disregard, on the part of the people's representatives, of reason, experience, and history. This Transportation Committee was appointed at the request of the President, and has conducted its investigations with much flourish of trumpets in every quarter of the country, and with every opportunity for observation. It has discovered, apparently to its own surprise, that the subject was well understood before the Committee began these investigations, and the sum and substance of the report is an admission of the fact that the notion that transportation can be made cheap by Government regulation is an old delusion, which has appeared and been exploded in half a dozen countries, and is no less a delusion in America than in England, France, or Germany.

A DAY AT THE SEAT OF "WAR."

St. Louis, April 29.

RETURNING from an excursion into Texas over the newly opened Cairo and Fulton Railroad, a day or two ago, I stopped at Little Rock for the purpose of seeing something of the pending hostilities, and if possible of the two principal actors in them. The glimpse I got of the goings-on in that city may perhaps be of some interest to your readers, both as an illustration of the state of society which has resulted from the process of reconstruction, and of the difficulties which surround every attempt on the part of the Federal Government to remedy its defects by the exercise of executive discretion. I did not stay long, but I stayed long enough. Southern politics do not, at present, need any profound or prolonged examination to enable one to understand them—a fact of which I became aware a year ago, after assisting at the deliberations of the South Carolina Legislature.

Arkansas is by no means in as bad a condition as South Carolina, although she came out of the war with a worse character; but, if something is not done to arrest her present progress, there is some reason to fear that she may reach it before long. Her bad character was the natural result of her history. Like Texas, and for the same reasons, she was, thirty or forty years ago, a general asylum for persons whose manner of life had made places east of the river too hot to hold them. They did not come to Arkansas in as great numbers as to Texas—mainly, I think, because Arkansas is forest-covered, and therefore less well adapted to locomotion on horseback. There is something peculiarly attractive to outlaws in the prairies and in the abundance of horse-flesh which is one of the marked features of prairie-life. A person whose pursuits make frequent and sudden changes of abode a matter often of overwhelming necessity, naturally loves a country in which horses are either cheap or plenty, and in which one is not confined to the high-road in taking to flight, but may strike off at a gallop in any direction which is most promising. The multiplicity of cattle, too, in Texas had something to do with attracting its early "settlers." To most of them, another man's cow was perhaps as grateful an article of food as the earth could furnish, and in Texas it can almost always be had, even now, by a single shot. In fact, I am afraid a larger proportion than is generally imagined of the cattle which the State sends up in such enormous numbers now every year to the North, are delivered at the railroad stations by gentlemen who have had little share in the risk or anxiety of raising them.

Arkansas held out none of these temptations. The river bottoms were as usual early settled by cotton planters, who were as respectable a body of men as any of their class, and in fact most of the settlers were and are sober, honest, and industrious, and even frugal. The Land Commissioner of the Cairo and Fulton Railroad, who in selling and surveying the land-grant of the Company has had a wide and somewhat peculiar experience of the population, and has seen their character subjected to the very trying test—a test which even Northern settlers do not always support successfully—of being obliged to pay a corporation for a title to lands on which they had been living, and which they had been cultivating as squatters for years, assured me that he has not had a single dispute or difficulty with any of them, and that, though mostly poor men working in their own fields, they were as eager to purchase, and show as much thrift in the accumulation of money, and as much loyalty to their engagements, as people similarly situated in any other

part of the Union. They are ignorant, as one might expect men to be in an old slave State, which has only been brought into railroad communication with the North and East within a year or two, but they are by no means unwilling to learn, and they have what the older slave States have not—an unexhausted soil of extraordinary fertility. Their great danger now is that they may be overrun with negroes armed with the ballot and led by white rascals, but their society has been as completely purged of the lawless element as that of Texas. Part of this element perished in the war, and part of it has gone to Nevada and Colorado. Of course this is not saying much. I am afraid killing an enemy is not considered in Arkansas so heinous an offence as it ought to be, but I venture to assert that Arkansas recklessness in taking life is a much healthier and more hopeful feeling than much of the Northern reverence for it.

Little Rock was not much of a city before the war, and indeed it is not much of a city now, but it shows signs of considerable improvement, in the shape of new buildings—though the most conspicuous of these were erected by the Clayton Ring with the proceeds of public plunder. The opening of the railroad, which brings it within twelve hours of St. Louis, or in other words of commercial civilization, will doubtless do a great deal to help it in many ways; but in others it will lessen its importance, by making the river, of which it has been the principal port, only a subordinate mode of reaching the market. On driving up from the station, we were a good deal surprised by the absence of all sign of "the war," until we reached the State-house. Everywhere else life seemed to go on much as usual. The yard of the State-house, however, furnished a scene to which it would require the pencil of a comic artist to do justice. The State-house is a small, mean building, with a stuccoed Greek portico, and considerably stained by time and weather. The yard, a space of an acre or so, is surrounded by a low iron railing. At the principal gateway were white sentinels, each wearing a fancy uniform, consisting of a short, unbuttoned jacket with yellow braid; an open space, occupied by a protruding dirty shirt, partly concealed by a red sash; and a pair of gray pantaloons, with braid down the sides. The men were lounging against the gate-posts, one with the muzzle of his piece resting on his foot, the other holding it at arm's length, and both chewing and spitting all around with a certain leisurely activity. Beside the railing, pacing up and down with an air of preternatural solemnity, were two negroes, clad in rags of various hues and origin, and carrying, one a single-barrelled, the other a double-barrelled shot-gun. These were evidently in earnest, and impressed with the gravity of the occasion. One warned us in sepulchral tones not to approach the railing, but was satisfied with our assurance that nothing would induce us to do so. Passing on, we entered the jurisdiction of his comrade, who warned us off the sidewalk altogether. We stared in amazement, and he repeated his order. We then asked him where we should go to. He brought his piece to the charge, and pointing the muzzle menacingly both towards us and towards the middle of the street, shouted angrily, "Down dah!" "Down dah!" we accordingly went, having serious doubts as to his respect for the Constitution and the laws. Inside the enclosure was a scene in which Carlyle would have taken grim satisfaction. There was a barricade of timber, forming a kind of lunette at one corner, in the direction of Baxter's quarters, and another larger one—about four feet high—across the portion of the yard in front of the portico. A similar one extended across the portico inside the pillars, and within it, *en barbette*, there was a small field-piece, with a little pyramid of balls on the plank in front of the muzzle. A ragged black sentinel with a shot-gun stood behind each barricade, evidently intent on the business; but this was all the sign of war there was. The yard swarmed with negro loafers of all ages and sizes, and wearing costumes of which words can give no adequate idea. They were yelling, hallooing, romping, skylarking, playing pitch-and-toss, squabbling on the ground, gambling, and signalling to friends outside the railing. They were all unarmed, and were simply enjoying the spree of the half-serious holiday. Moving amongst them were one or two colored officers, wearing sashes and dandy swords, cracking jokes, and shouting like the rest. The ground was covered with the *débris* which one would naturally look for—broken crockery, sardine and vegetable cans, old quids and cigar-ends, the ashes of old fires, old shoes, rags, hats, bones, and in fact every accompaniment of an abandoned camping-ground, except dead animals. The crowd we saw before us evidently passed their days and nights there except when it rained. Over the way, in an empty store, was their commissariat, which was simple in its supplies, consisting mainly, I was told, of crackers and cheese.

Asking for an interview with Mr. Brooks, we were readily passed into the interior of the building. At the door and at the foot of the stairs sat negro sentinels, very ragged, and wrapped in old blankets, and armed with fowling-pieces. We found the Governor No. 2 in an inner room, a middle-sized man, with a large crop of frowzy hair, a strong rugged face, with a

cunning mouth, which looked cruel when he showed his teeth, as he did whenever he said anything sarcastic and bitter. He was pale, and evidently nervous, as one might expect a non-military man to be who was standing a siege, but there is no doubt entertained of his courage and determination. He had gone down to the barricade with his carbine like the rest when there was talk of an attack. The carbine in question—a sort of pistol with a very long barrel—stood behind his chair, apparently ready for use; and, indeed, pistols and muskets were plentifully distributed in all the rooms. Mr. Brooks made us a full statement of his case, but as your readers are already familiar with it I will not repeat it. Suffice it to say that it was highly technical, indeed ludicrously so, considering what the office in dispute was, and he expounded it to us by the aid of illustrations drawn from the New York Code. His main point was that the legislature and the courts had concurrent jurisdiction over the title to the governorship, and, the legislature having declined to exercise it when he presented his petition, the courts were justified in passing on his claim, and had decided in his favor. All he asked now was that the Federal troops should be withdrawn, and then he said he would settle the question so that it should not be raised again in fifty years. Passing out, we stopped for a few minutes to watch the drill of a squad of the Brooks forces in a vacant lot near the State-house. It was composed of about thirty negroes of various sizes and ages, surrounded by about an equal number of lookers-on, and was going through the manual of arms under a very weak-voiced mulatto, wearing a stylish blue frock-coat, the usual Southwestern dirty shirt and diamond pin, and a pair of light low pumps. The men were clumsy and foolish-looking, half-ashamed apparently of what they were doing, and making one think sadly of the honest callings in which they might have been engaged. The only real enjoyment of the scene was to be found among the lookers-on. One of those, a large, jolly-faced fellow, black as the ace of spades, was lying on his belly on a plank on the grass hard by, turning his head so as to see the drill, and grinning from ear to ear as he did so. Whenever he caught our eye and noticed the amused expression on our faces, he politely indulged in a tremendous guffaw, and rolled about on the plank in convulsive merriment.

The shopkeepers did not take by any means so cheerful a view of the situation. We stopped at two or three stores on our way to the Baxter headquarters, and found the owners in a kind of good-humored despair. There was something so farcical in the anarchy in which they were living that they could not talk of it altogether seriously; they smiled sadly when we spoke of what we had seen at the State-house, but said that to get the full benefit of the comedy we ought to stay a few days. One man said the Baxterites had taken \$500 worth of stoves and tinware from him on "requisition," and had given him nothing for it but "vouchers." The grocers had suffered worse than others, because their goods were what fighting-men most need. All agreed that business was at a stand-still, and that a prolongation of the situation would work ruin. The negroes of course were utterly demoralized by it. All thought of honest labor was banished for the chance of playing at soldiers or watching their brother negroes garrisoning the Capitol. In fact, considered as a moral lesson to a race just entering on a civilized life, nothing could seem more deplorable.

Baxter's quarters were in a hotel, which seemed to be entirely given up to him and his followers. Two sentries, of the type of man with which either actual service in the field or the sight of rebel prisoners during the war made most people at the North familiar, were at the door. One was about six feet two, straight as an arrow, who shouldered a rifle, and paced up and down in blanket and slouched hat, from under which peered out a pair of dauntless eyes. He looked every inch a soldier, and made one feel that if Baxter had many such followers Brooks had to thank the President for not having been already eaten without salt. But the other was an old fellow of sixty, with a cough and bent knees, who waved his piece about like a walking-stick, and gazed open-mouthed at the passers-by. The office was filled with loungers of various sizes, black and white, and we were at once introduced to the commander-in-chief of Baxter's forces, a determined-looking gentleman in seedy clothes, who appeared as if he had not undressed for a great many nights, and who carried the stock of a revolver in the hollow of his hand, the barrel being thrust up his sleeve. The staircase was not as well guarded as at Brooks's headquarters, and Mr. Baxter's own room, in which he granted audiences, was a small bedchamber, which seemingly had not been swept since the readmission of Arkansas to the Union. The floor was strewn with innumerable bits of paper. Mr. Baxter is a man of gigantic size, with a massive face of the Southern type, and a pleasant eye, and the stiff, formal manner with which Southern men keep up their dignity with strangers. He had the same look of having long slept in his clothes as had most of his followers, and, beyond a diamond pin in his shirt-front, wore no personal ornament, and, in fact, carried his simplicity so far as to dispense with a cravat. He was very much more moderate

in his tone than Brooks, relying mainly on the fact that he had been recognized by the legislature, and repeatedly assuring us that if, when that body met again, May 11, it did not confirm him, he would go quietly home. If it did so, on the other hand, and General Grant would take his hands off, he would "carry on the war vigorously." From all we saw of his followers, I judged that he would make short work of his enemy in case of active operations.

Among the white people, and among the more intelligent men of the community about whose opinions I could learn anything, there appeared to be all but unanimity as to the greater honesty of Baxter and his surroundings, and a strong desire that he should succeed. On the other hand, I met with no denial that Brooks had been legally elected, and no question that he was a corrupt rascal, and one of the chief members of the Ring by which the State has been defrauded and debauched since the war. Anything more melancholy, however, or less creditable to our institutions, than the spectacle of a civilized community plunged and kept in disorder week after week, while these two political adventurers bite their thumbs at each other, one does not often meet with.

ENGLAND.

LONDON, Saturday, April 18, 1874.

TO-DAY is the funeral of Livingstone. Seldom if ever since the death of Wellington have the feelings of the people been more affected than by this return, after so many years of absence and silence, broken only by fitful and disturbing rumors, of all that remains of the mortal part of the great African explorer and missionary. When I say all that remains of his mortal part, I speak literally, for, according to the report of Sir William Ferguson on the examination and verification of the body, which had been carried by a few faithful black servants a distance of nearly 1,500 miles to the coast at Zanzibar, the identification of the dead frame would have been impossible, even to his oldest friends, but for the ununited fracture of the left arm (from the bite of a lion nearly thirty years since), a lesion of very rare occurrence, and presenting infallible indications to professional experience. Sir William had been consulted by Livingstone during his last visit to London, and had examined the injured limb, and conversed with his illustrious friend and countryman on the subject of the wound. The eminent surgeon's recollection was confirmed by Dr. Moffatt, Livingstone's father-in-law, by Dr. Kirk, late Consul at Zanzibar, and by Dr. Loudoun, a near friend of earlier days at Hamilton in Scotland. Sir William confesses that he had approached the examination with an anxious feeling, being one of those who had hoped against hope that Livingstone, whose death had so often been falsely yet circumstantially related, might be yet alive. The crucial test was only too convincing. Otherwise, the doubt might have remained unsolved, for the features of the face were decomposed beyond the possibility of recognition, and only the measurements of the forehead and skull could be taken and compared with those of the living. All circumstances have conspired to increase, if possible, the public interest and sympathy with regard to Livingstone's lifelong labors and his lonely death. Years before he was found and relieved by Mr. Stanley, he was over and over again given up for dead; he had disappeared utterly for months upon months; not a sound of his voice, not a line from his hand had reached the coast; from time to time his murder, his death from fever and exhaustion, was announced on the faith of traders with the tribes along the course of his wanderings; and in truth, Livingstone had faced a hundred deaths, and may be said to have numbered the steps of the fate that pursued him and broke even his indomitable energies at last—the lingering fever and the slow starvation, far from succor or release, in the midst of hostile or suspicious savages, while the third and last expedition was pressing forward to his relief, fighting its way through warring tribes, cast down by sickness, and reduced by the casualties of African travel.

The funeral service this afternoon will be conducted by Dean Stanley and his clergy; the anthems will be sung by the full Abbey choir, and the *Requiem* and *Dead March* will be played with fine effect on the splendid organ. The congregation will include princes of the blood, cabinet ministers, peers and statesmen, and members of Parliament, bishops of the church and eminent Nonconformist ministers, and not a few notabilities of science, literature, arts, and arms. America will be fitly represented among the pall-bearers by Mr. Stanley; nor in this famous company will the coal-black face of Jacob Wainwright—the devoted African lad who closed Livingstone's eyes and brought the remains of his beloved master through perils innumerable from the mountains to the sea—be wanting.

The lockout of the agricultural laborers in Cambridgeshire and Suffolk continues with no abatement in the determination of either employers or employed to test each other's endurance to the bitter end. The crisis is not quite universal in these counties. I myself know at least one large parish

within six miles of Newmarket which has the advantage of being owned by a young and admirable landlord, who devotes his life and fortune to the bettering of the lot of his poorer neighbors and dependents. There the farmers pay moderate rents and liberal wages, and the consequence is that landlord, tenants, and laborers make up one happy and united family, and all prosper together. The Broad-Church Bishop of Manchester, Dr. Fraser, has greatly exasperated the landlords and farmers by his letter to the *Times*, in which he asked the farmers whether they were mad, and insisted on the right of the laborer to "an equitable wage," an expression which laid him open to severe attacks from the economists, and which, in a strict scientific sense, is no doubt unsustainable. The good Bishop wrote not as an economist, but as a pastor of souls; and by "equitable wage" he meant, no doubt, a wage on which a man can live and even bring up a family of children in decency if not in comfort, and not on a bare pittance just enough to keep the wolf from the door. Thirteen shillings a week cannot do this at present prices; and when the landlords talk of extras at sowing and harvest-time, of keeping on their men at work, wet and dry, through all seasons, they forget how hardly the extras are earned, and that the alternative of keeping the laborers at work is keeping them in idleness on the poor-rates. Indeed, the workhouse is the inevitable asylum of these poor laborers in old age, and their old age comes early. When great ladies like the Countess of Stradbroke take up their pens to prove the territorial aristocracy of this country a race of self-denying philanthropists, they "do protest too much," for even the special correspondent of the *Times*, who makes out as good a case as he can for the employers, gives an account of a visit to some laborers' cottages as unfit for human habitation as any of the rookeries of St. Giles's or Whitechapel; a whole family—father, mother, and children—sleeping in one close, narrow, low, damp room, no better than a loft, and not half as comfortable as the landlord's stables or pigsties. Lord Shrewsbury, who, I dare say, is a very kind-hearted and well-meaning man, but who cannot escape from the fatal prejudices of his caste, has been making a speech against the pestilent paid agitators of the Agricultural Union, as if the bar and the church were not as much unions for the purpose of mutual protection and profit as the association presided over by Mr. Arch. The Bishop of Manchester, I should add—by way perhaps of a set-off to his former letter—has, in declining an invitation to a laborers' meeting, protested against certain words attributed to Mr. Arch, who was reported to have said on one occasion something to the effect that he would see the streets and lanes of England run red with blood rather than give up his cause; what he had really said in substance being that, in the event of a foreign invasion, the landlords and the farmers could hardly be surprised if the laborers showed themselves not particularly forward in fighting for a country in which their lot was so hard to bear. This seems to me a very fair and moderate utterance on the part of Mr. Arch, sad as it is that such an utterance should be possible. And, in fact, the laborers are not likely to wait for a foreign invasion to show how little love of country is compatible with constant hunger. The emigration agents for Canada, Queensland, and New Zealand are busy in the eastern counties picking up the very pith and flower of the rustic population. If this lockout continues till the harvest, field-labor in those deserted parishes will command its own price. Some landowners are talking wildly of laying down the whole county in grass, and giving up the plough altogether, by way of punishing that portion of the British public which sympathizes with the agricultural laborer.

Sir Stafford Northcote's budget is generally considered a creditable and satisfactory performance. Perhaps it commits the opposite fault to Mr. Lowe's in overestimating the probable receipts of the current financial year, and leaving out of account the possibility of a temporary falling-off in customs and excise from decline of trade and the disturbances of the labor markets. But Sir Stafford takes care to shelter himself behind the careful and deliberate advice and estimates of his permanent subordinates. No objection, I think, can be taken to his treating the interest on exchequer advances or loans as revenue. To have paid off the *Alabama* award and the cost of the Ashantee war, and to show a surplus of six millions and a half, is a splendid testimony to the truth of Mr. Gladstone's calculations and promises. Sir Stafford has not forgotten that he entered into public life as Mr. Gladstone's private secretary, and owes all his financial experience to having sat at the feet of "the very highest financial authority of the country," as he magnanimously describes the late Prime Minister. But this graceful compliment falls to assuage the bitterness of the Liberal party at a surplus of six millions and a half having fallen into the hands of a Conservative Chancellor of the Exchequer, and all because that fatal Greenwich letter was written three months before its time. Imagine Mr. Gladstone's financial statement last night, and its effect upon the constituencies! Whether from an indulgent feeling for his former pupil, or because he could not bear the *ste cos non vobis* of his own surplus to be recited by his successor, Mr. Glad-

stone was not in the House, or even, I believe, in town, whilst Sir Stafford was paying him backhanded compliments, and congratulating the House on the general increase of the consuming powers of the country, not only in intoxicating liquors, but in butter, cheese, and bacon. The Chancellor of the Exchequer was agreeably facetious on the subject of the deputations that had asked him to remit fifty-five millions sterling of duties out of his surplus. Having only had six weeks for preparation, he has contrived to distribute his good graces very evenly, reducing the income-tax a penny, and reserving the question of its readjustment or abolition; transferring rather more than a million from local to imperial taxation, and promising to do more in the same direction next year; cancelling the remainder of the sugar duties as a further instalment of the free breakfast-table; and abolishing the horse duties, according to the advice of all the experienced witnesses who gave evidence to the Select Committee of last year on the alleged deficiency and depreciation of horses in England. Sir Stafford has thus gratified more or less the advocates of direct and of indirect taxation, the country party, the poorer classes, and the sporting world. The brewers and the maltsters and the railway directors are perhaps dissatisfied. So much the better! On the whole, the budget is a success for the Cabinet.

To-day the Duke of Abercorn makes his state entry (on horseback), at the head of an imposing cavalcade, into Dublin, as the new Viceroy. You may remember how popularly and magnificently he held the same high office (as Marquis of Abercorn) under the last Conservative Cabinet, when, with the assistance of poor Lord Mayo, then Chief Secretary, he crushed the absurd Fenian rising without bloodshed. Even Fenians prefer a Lord-Lieutenant who does things handsomely and is not a "screw," as some Whigs have been. People in London society, however, are talking about the resignation, in due time, of the Duke of Abercorn, and the appointment of the Duke and Duchess of Edinburgh to viceregal duties in Dublin. No doubt that would be an acceptable arrangement to the Czar, as enhancing his daughter's position, and settling, or shelving, all questions of precedence. But would it not tend to further the Home-Rule movement, as symbolizing the administrative separation of Ireland from England? The lord-lieutenancy itself is an inheritance from the time of separate parliaments; would not the abolition of it, and the substitution of a Secretaryship of State, do more to unite the two countries than the presence of royalty in Dublin? That is the question which some judicious friends to both countries, who do not love Ireland less because they love the United Kingdom more, are asking.

Notes.

WE omitted to mention, last week, in speaking of Mr. Norton's 'Catalogue of the Plates of the Liber Studiorum,' that a few copies are on sale with J. R. Osgood & Co., whose heliotype process was employed in copying the three etchings bound up with it.—The Baptists have determined to contribute their quota to the Centennial in the shape of a volume reviewing the history of the denomination in this country since July 4, 1776. The editing of this memorial work has been confided to the Rev. Lemuel Moss. Under the general title, 'American Baptist Centenary: Baptist Growth and Influence during the First Hundred Years of the United States,' there will be an introductory preface and a "Glance at the Future," by the editor; with chapters on "Doctrinal Position and History" (Dr. David Weston), "Home Missions" (Dr. Justin A. Smith), "Foreign Missions" (Dr. S. L. Caldwell), "Bible Distribution and Denominational Publications" (Dr. J. M. Gregory), "Sunday-Schools" (Dr. Warren Randolph), "General Education" (Dr. A. C. Kendrick), "Theological Education" (Dr. J. P. Boyce), "Literary Activity" (Dr. L. E. Smith), "Social and Public Affairs" (Dr. J. L. M. Curry), and indexes. Dr. Curry's task would seem to be the most delicate of all.—A School and Collegé Association of Natural History was founded at the close of the last year in Illinois. Its leading objects will be to form a State Museum, to contribute to a natural-history survey of the State, to equip the schools with suitable cabinets of specimens for study and reference, and to promote "the rational study of nature" by the pupils. No similar organization, to our knowledge, exists in any other State. The Secretary is Mr. Aaron Gove, at Normal, in which town, we infer, the proposed Museum is to be located.—The letter of J. J. Rousseau touching his treatment at the hands of Protestants, of which we gave an abstract a fortnight ago, fetched 85 francs at the Labouisse-Rochefort sale. Not a large price, one would say, but still among the highest paid.—A new Shakspeare Dictionary or concordance is in process of printing, and is highly praised by the *Academy*. The compiler is a Professor Schmidt.—J. B. Lippincott & Co. have in press 'German University Life,' with personal reminiscences of Goethe, Schiller, Novalis, and others, from the German of Heinrich Steffens, by

Rev. William L. Gage; a 'History of the German Emperors and their Contemporaries,' translated by Elizabeth Peake; 'The Mambi-Land: Adventures of a Herald Correspondent in Cuba,' by James J. O'Kelly; 'Crowned in Palm Land,' a story of African mission life, by R. H. Nassau; 'Rome as It Is,' by Mrs. H. R. Scott; 'The Universe and the Coming Transits,' by Richard A. Proctor; and a new edition of Dr. Francis Lieber's 'Political Ethics,' edited by President Woolsey.—Professor W. D. Whitney, of Yale, has, in addition to appointments as correspondent of the Royal Academy at Berlin, and corresponding member of the German Oriental Society, lately been honored with the degree of LL.D., from St. Andrews.

—Our countryman, Dr. J. G. Holland, was surprised the other day to find side by side with an authorized English edition of his 'Arthur Bonnicastle,' another which was so far from being authorized that, in the preface to it, it was expressly stated that "This book is published in its present form to draw attention to a process, now in full operation, by which American authors secure in this country what is by courtesy called copyright." Dr. Holland exposed his grievance in a letter to the *Athenæum*, taking the ground that American authors were unable with all their moral and social power to obtain an international copyright measure, and that they ought not to be made to suffer for the sins of American publishers and paper-makers, who do not want such a copyright. This has brought to the front Mr. S. O. Beeton, who, it seems, wrote the preface above cited, and who further explains, with a cheery frankness, that "Ward, Lock & Tyler's edition of 'Arthur Bonnicastle' is a reprisal against American seizures of English literature, and a protest against the evasions to which an American author is forced to resort in order to overcome the difficulty of his being an alien." It does not appear that Messrs. Ward, Lock & Tyler have any special motive for reprisal, such as a pirating of their works in the United States might furnish. With the publisher of the famous Mrs. Beeton's Cook-Book, the case may be different; we do not pretend to know. We confess to some curiosity, however, as it would be a curious phase of the copyright wrangle if a British publisher, merely to vindicate the rights of his craft, and not to avenge outrages sustained in his own property, should, as the freak seized him, enter on this business of "reprisals"; and, for injuries done say by the Harpers, should prey upon Scribner or Osgood—a nearly disinterested knight-errant, bent upon hitting an American head wherever he saw one. Perhaps "reprisal" is the best form of protest; we would not say that it is not. It has, however, its risks like legitimate publishing; and the agent of the British speculator who appropriated Dr. Holland's 'Miss Gilbert's Career,' changing the title to 'The Heroes of Crampton,' and otherwise absurdly disfiguring and disguising the book, writes to the *Athenæum* that "it turned out a failure."

—Our attention has been called, by a Pennsylvania subscriber, to the article on Free Trade in the new American edition of Chambers's Encyclopedia (bearing the imprint of Messrs. J. B. Lippincott & Co.), on the ground that "it is a curiosity, and was evidently written on this side of the water." We have found this to be eminently the case, and further that the article was evidently written in Philadelphia. Turning to the Edinburgh edition *sub verbo*, we find the article beginning in the following manner:

FREE TRADE.—This term, when used so late as twenty years ago, expressed a disputed proposition, and was the badge of a political party; it now expresses the most important and fundamental truth in political economy. From its simplicity, it affords, to those who expect to make political economy an exact science, the hope that they have obtained at least one axiom. But it has in reality been established as the result of a double experience—the one being the failure of all deviations from it, the other the practical success of the principle during the short period in which it has been permitted to regulate the commerce of this country.

The rest is of the same tenor. In Messrs. Lippincott's edition the entire article is superseded by one adapted to the home market, of which we subjoin the beginning, the end, and several choice intermediate passages:

FREE TRADE, a dogma of modern growth, industriously taught by British manufacturers and their commercial agents. For many years certain political economists have laboured [*sic*] to establish this theory upon a reliable basis, and have asserted that the doctrine represents an important truth; but no nation has attained substantial prosperity except by protection to native industry, whether avowed or disavowed. . . . Free-trade expressions need Americanizing, as they are utterly hostile to our prosperity, and subversive of scientific truth. . . . The sophistries of free trade are put forth to lull the suspicions of the deluded purveyors to the wealth of England, and are advocated most strenuously by agents of British manufacturing houses and foreign residents in our cities, whose chief aim is the accumulation of wealth by extensive sales of foreign products, regardless of the injury they may inflict on American interests. . . . Free trade would keep every agricultural community chained hand and foot to the car of Imperial Britain, which is the end and aim of the teachers of the ideal theories and sophisms of the policy so vauntingly termed 'Free Trade.' See H. Carey, *Principles of Political Economy*, 3 volumes, 1837-40; 'The Harmony of Interests,' and *The Principles of Social Science*, 3 volumes, 1852-59.

The "local colour" sought to be maintained in the spelling of "labour" is worthy of notice. In other respects there is no concealment of the writer's nativity; indeed there is a comical confession of it in his citing at the close a single American authority, while preserving a dead silence about the great European teachers of political economy. The liberty which the American publishers have taken in exchanging their views for those of the British editors, was doubtless the result of agreement with the Messrs. Chambers. Indeed, if we are not misinformed, some minor substitutions became necessary in the course of publication in parts, in order to prevent pirating, by securing an American copyright. That everywhere care was taken to alter allusions to "this country" so as to make it clear that Britain and not the United States was meant, cannot be affirmed; plenty of instances (*e.g.*, under "Finance") may be found to the contrary. As to the taste of such violent "Americanizing" of definitions as we have exhibited above, we need only point out the awkward plight in which the Messrs. Chambers are placed when the American edition of a work bearing their name accuses them in their Edinburgh edition of falsely representing as "an important truth" "a dogma of modern growth"; and of "putting forth sophistries to lull the suspicions of the deluded purveyors to the wealth of England," with the "end and aim of keeping every agricultural community chained hand and foot to the car of Imperial Britain."

—Mr. Edward Freeman, General F. A. Walker, Rev. Dr. Barcraft Boakes of Melbourne, Judge Nott of the United States Court of Claims, President Porter of Yale, and the anonymous author of a very poor article on a very good subject, "Art at the National Capital," are the uneditorial contributors to the latest number of the *International Review*. As is usually true of the editorial contributions, the less said the better. The writer distinguishes himself this month by an original reconciliation of Genesis and geology, for both of which he professes to have a distinguished consideration. The writer of Genesis, he says, is not to be understood to mean that the events which he records as having taken place in six days really and literally took place in that time. He had six visions, each one of which lasted one natural day, and what he saw in each twenty-four hours, and saw truly, he put down as having occurred within that period of time, although in reality each twenty-four hours of his tranced state took him over geologic years and ages and cycles. "Here," he adds, "is a system of interpretation at once literal and figurative." Mr. Freeman's article is entitled "First Impressions of Rome," but somewhat belies its name in by-and-by turning into an historical survey of the pretensions of the Papacy, of which Mr. Freeman is no friend. His first impression on seeing Rome was that the city is rich in monuments of the early emperors, and that it is also rich in monuments of the later days of its pontiffs, and that it has hardly anything to show of any other ages, especially of the period between Constantine and Julius the Second. This first impression close observation largely confirmed, although, as the writer remarks, there is probably no age absolutely without its memorial in Rome, and the aggregate of its mediæval remains would make the fortune of any smaller city. But they seem as nothing in presence of the endless wealth of earlier and later days; and the visitor to the Eternal City (whose history is a chief witness of the continuity of all history) is at first struck by the idea that there at least ancient and modern history are two distinct things, and that the gap between them is a yawning gap indeed. To explain how this seeming proof of discontinuity is in reality a witness to the absence of all break in the history of Rome in the higher sense, is the object of the essay.

—General Walker writes in the *International* on the Indian question; Dr. Boakes rather slightly, but still instructively, on the British colonies in Australia, their physical features and their political systems; Judge Nott very readably, on monopolies and more particularly the so-called and miscalled "monopoly" which a patentee has in his invention; and, finally, Dr. Porter on John Stuart Mill. Mill's way of discarding a scientific metaphysical nomenclature, and so using the language of common life as practically to mislead the student, is the subject of Dr. Porter's measured but severe animadversion. He does not charge Mill with disingenuousness; but that the ambiguity of which he complains was now and again of service to Mill in controversy, and that it is a fault of the school which follows that philosopher, he affirms distinctly and with some illustrative proof. Unmistakably, the essay is the work of a metaphysician hostile to Mill's religious philosophy, and, we may add, not ill pleased that the 'Autobiography' has been given to the world. None of Mill's opponents is. Judge Nott incidentally speaks of the Government's monopoly of the Post-office, and says something not particularly new, but which would be good reading for the extremists in the ranks of the decentralizationists, who are like the rest of us in possessing an ability to carry a good principle to lengths which make of it a bad one. The centralizationists, also, may profit by another passage in the same article. Of the scheme for giving

the Government a monopoly of the telegraph as of the mails, Judge Nott speaks as if consideration of the subject might well enough be delayed for some time yet, though he does not express himself unfavorably, and then takes occasion to remark that should the Government assume the business it must of course respect vested interests, and, after purchasing existing lines, must tolerate no competitors, but must carry it on as a monopoly—to the exclusion of all for the good of all; he adds that the “project of a former member of Congress to build a competing line between Washington and New York violated every principle which should be maintained between a government and its citizens: such a line would bring the Government into competition with the citizen; it would do this only on the most profitable route; it would leave the remote and unassisted districts still unprovided for; its purpose would be to destroy capital already invested, and to ruin enterprises which, lawfully begun, are usefully serving the public interests.” This might be commended to the attention of Senator Windom and his colleagues of the Cheap Transportation Committee with their proposed competing Government railroad. General Walker makes a rapid but valuable review of our Indian system, from the foundation of the colonies till now, and, without spending time over the rascalities of the Indian rings which have done so much to injure the Indian, to discredit the Government, and to disgust the public with the whole subject, he goes on to develop his plan for our performance of a clear national duty. This is his language: “To cut off a reservation sufficient for the wants of this unfortunate people in their rude ways of life; to hedge it in with strict laws of non-intercourse, turning aside for this purpose railroad and highway alike; and upon the soil thus secluded to work patiently out the problem of Indian civilization, is not to be deemed a light sacrifice to national honor and duty. Yet that the Government and the people of the United States cannot discharge their obligations to the aborigines without pains and care and expense, affords no reason for declining the task.” It may be doubted whether the proposed policy would be more expensive than the one which we have hitherto confusedly followed. In the course of his article, General Walker gives an important synopsis of the legal decisions in regard to the competency of Congress to deal with the Indians, even though they be tribes having treaty relations with the United States. This competency was rather flippantly denied some four years ago in a report of the Senate Judiciary Committee, Senator Carpenter presenting the report. The whole article is valuable, and, preserved in newspaper offices, will no doubt often be found useful in future discussions of this question. It is much to be desired that some competent person should give us a handbook of the Indians, with an historical introduction and with full details of their present condition in all its aspects. The public knows scandalously little about them. A little accurate information about them set down in the school histories of a generation ago, and accompanied by some sensible and fair reflections on their character and rights, might have saved much barbarity and shameful injustice.

—The controversy over the alleged art frauds practised by our countrymen abroad was going on in the Italian press, according to our latest mails, in a very lively manner. A large number of sculptors have taken part in it, by no means all in opposition to Mr. Healy. In fact, it is evident that professional etiquette alone prevents the honest portion of them from exposing thoroughly the charlatans whose dishonest rivalry they so keenly feel, both as a personal injury and as a national disgrace. Mr. R. H. Park appears to be one of the most notorious of this latter class. In defence of himself, he has published in the *Italian News* a paper bearing the signature of the late Hiram Powers, and declaring Mr. Powers's ignorance of any illegitimate practices on the part of Park. Mr. Healy replies in the same journal that the paper which Mr. Powers really signed stated that he had no personal knowledge of the matter, and adds that he afterwards caused his signature to be removed, and threatened Park and his kind with exposure at home, and actually prepared an article on the subject for the *Atlantic Monthly*, which his friends induced him to withhold; and that he privately denounced Park in language more forcible than polite. Mr. Healy proposes to publish to the world Mr. Park's antecedents, if the latter's friends desire it, and meantime is “eagerly courting the libel suits which the public reasonably expect.” Mr. Bayard Taylor writes that he happened to be with Mr. Powers at the time he signed the disavowal of Mr. Healy's charges against Mr. Park, and distinctly remembers the indignation expressed by Mr. Powers (he does not state against what). But a note from Mr. Longworth Powers puts it beyond a doubt that his father's views have been correctly reported by Mr. Healy.

—Prof. Mommsen has accepted the Secretaryship to the Berlin Academy of Sciences, made vacant by the death of the philologist, Prof. Haupt. Mommsen has accordingly resigned his Leipzig appointment, where his summer lectures in the law faculty were already announced, and remains in

Berlin. From Bonn we learn that the next number of Schultze's *Archiv für mikroskopische Anatomie* will contain a portrait of the lamented editor, who died suddenly at Bonn in January, with a biographical sketch by Prof. Schwalbe of Jena. It is reported that as soon as the new buildings for Cotta's printing establishment are completed, the Augsburg *Allgemeine Zeitung* will be transferred to Stuttgart.

—In his new volume, ‘Aus dem Nachlasse Mirza-Schaffys,’ Bodenstedt makes some explanations concerning the personality of this poet which may interest many who have found pleasure in his ‘Lieder.’ Who Mirza-Schaffy was has long been a question among his admirers, who, by the way, have been sufficiently numerous to call for forty-nine editions of his little volume. Some maintained that the poems were Bodenstedt's own creation, and Mirza-Schaffy a myth, while others said that they were translations from a noted Persian poet in which the essence and flavor of the original had been most remarkably preserved. Bodenstedt now repeats the admission made a year or two since, but not generally known, that he is the author of the poems with one exception, the “Mullah, rein ist der Wein.” Mirza-Schaffy, however, was no myth, and we now have an exceedingly attractive sketch of the man and his peculiarities. He was by birth a Tartar, but had received a Persian education and drunk deeply of Persian culture. He had been for many years a teacher of languages in Tiflis, an occupation in which he was not particularly successful, and he was quite unknown. Bodenstedt, also one of his pupils, found him attractive because of his perfect naturalness, his calm earnestness, and the moderation of his entire existence; qualities which came, as his face showed, from no lack of passion, but from severe inward struggle. His youthful plans had all been unsuccessful, and his only effort was to be absolutely independent, and this he attained by moderating his demands. He permitted himself no intellectual excesses, and had no desire to be considered learned. For public affairs and the concerns of others he had absolutely no interest. All that was good in his reading (and he was particular) became a part of himself, and roused him to reflection. When he could not avoid giving a judgment that might cause offence, or an answer to a ticklish question, he liked to express himself in pictures and parables, or use a poetical quotation as a safety-valve, which his remarkable memory enabled him to do with ease. As to the part this man had in the creation of the “Lieder,” Bodenstedt says: “I drew his picture as he appeared to the mental eye, and permitted his existence to mirror itself in the songs and sayings I put in his mouth, and which mostly arose under his influence.”

MOTLEY'S LIFE OF BARNEVELD.*

I.

MR. MOTLEY stands in the front rank of historical investigators. His merits appear in a strong light when he is compared with Mr. Froude. The two writers have marked points of likeness. They each deal with the same age. At times, as in the case of the Armada, their narratives overlap. They each take the same general view of the religious and political contests which make up the history of the Reformation. Both of them are ardent partisans, and their sympathies are enlisted on the same side. Both the American and the English writer have been manifestly influenced by the teaching of Mr. Carlyle. Neither of them has much respect for the so-called philosophy of history. Each of them holds it the part of an historian to discover a hero and then set him up for the worship of the world. Mr. Motley again, no less than Mr. Froude, may be considered an historical specialist. His minute knowledge of the annals of Holland is certain; critics may doubt whether he is so well versed in the general European history. Both writers belong to that school who think it an historical duty to embody in their work the documents on which their conclusions depend. Each of them further may be fairly accused of something which friends would call partiality and foes designate as prejudice. Neither of them professes to assume the tone of judicial calmness. They each take a side, and stick to it; and no reader can suppose that he hears either from Mr. Froude or from Mr. Motley a perfectly impartial account of persons with whose principles of action the historian does not agree. None but a very simple-minded person would take without reserve Mr. Froude's estimate of Cardinal Pole, or would suppose that Mr. Froude's picture of Philip the Second presented that monarch as he might fairly be painted by an ardent Catholic. Yet, close as are the resemblances between the two historians, there are points of difference almost all of which tell in Mr. Motley's favor. In command of style Mr. Froude is indeed his superior. Mr. Motley's earlier writings are defaced by grandiloquent passages which read like unskilful imitations of the least admirable features in the style of Mr. Carlyle, and it may be doubted

* ‘The Life and Death of John of Barneveld, Advocate of Holland, etc. By John Lothrop Motley, D.C.L., LL.D.’ Two vols. London: John Murray; New York: Harper & Brothers. 1874.

whether he could at any time rival one or two of the most striking passages in the volumes of Mr. Froude. Even, however, in the matter of style Mr. Motley greatly improves as he gets into his work. There are few things in modern literature more impressive than his narrative of the death of William the Silent, or the episodes in his present work which recount the imprisonment and escape of Grotius, or the life of the Pilgrim Fathers whilst in Holland. But in every other respect than in the arts of composition Mr. Motley far excels his English rival. He never forgets that he is writing a history and not inventing an historical novel. He is indeed a worshipper of heroes, but he has good sense and good feeling enough to guide him to select heroes who, if not demigods, are men worthy of admiration and reverence. It is one thing to bow down in worship before the brutality of Henry VIII., and quite another to pay honor to the patriotism of William the Silent. Mr. Motley indeed is almost the only disciple of Mr. Carlyle who is not infected with the admiration for mere force. Barneveld is the hero of his last work; but Barneveld was a man whose whole life was spent in resisting the tyranny of Spain, of the Calvinists, and lastly of the greatest general of the age. He not only resisted force, but resisted it in vain. Yet Mr. Motley, unlike most of his literary brethren, can acknowledge that failure does not of itself deserve contempt. No one, as we have said, can call him impartial, but his prejudices are good honest prejudices. They incline him occasionally to believe strange stories on slight evidence. He repeats, for example, again and again, as an insinuation, what he does not assert as an ascertained fact, that Henry IV.'s wife was privy to his assassination, and it is rather startling to find that for a circumstance confirmatory of his suspicion his authority is apparently a reference to Michelet.

But though his opinions may bias his judgment, no one can for a moment believe that they would lead Mr. Motley to mistake or misrepresent any facts which his researches brought under his notice. He means to be fair even to Philip the Second, and if he could perceive a single respectable trait in James the First of England he would at once direct public attention to it. His prejudices, moreover, are in the main the prejudices of a strong Protestant, and therefore such as befit his position. No one can write effectively the history of a movement against which all his own feelings are enlisted. A hater of democratic government ought never to recount the features of the Athenian commonwealth. An author who can see no merit whatever in the rule of an aristocracy will never fully appreciate the history of the Roman Republic; and those worthy writers of the present day who find it impossible to ascertain what is meant by "the Reformation" are wise in devoting their attention to mediæval antiquities, for their powers would be of little use to them in an attempt to describe the struggle of Holland to throw off the yoke at once of Spain and Rome. Mr. Motley has a further advantage, in dealing with Dutch history, in the mere fact that he is himself a citizen of the American Republic. This advantage is twofold. He is able in the first place to look on European contests from an external point of view. He is qualified in the second place to enter into the peculiarly complex form which political questions are apt to assume under a system of federal government. He can understand more easily than most European writers how, for example, it happened that the purely theological questions at issue between Calvinists and Arminians became, during the latter part of Barneveld's life, inextricably intertwined with the controversy as to the limit of state rights and national sovereignty. He can easily appreciate what we suspect is to most Englishmen incomprehensible, how Barneveld could at once be, as far as foreigners were concerned, the most zealous of Dutch patriots, and yet, in internal politics, look upon himself as a citizen not of the Republic but of the one state of Holland. Mr. Motley, in short, would appear qualified beyond most men to write the life of the greatest of Dutch statesmen, and readers who take up his last work will naturally expect to find in it a thoroughly satisfactory life of John of Barneveld. This expectation will be disappointed. The book has great merits. Mr. Motley's industry has collected together a large amount of information, all of which is new to the mass of his readers, and a great deal of which he may be fairly said to have for the first time exhumed or discovered. There are, further, parts of the book, such, for example, as the account to which we have before alluded of the escape of Grotius, which are admirable specimens of animated narrative; but though the work is filled with materials from which it would be possible to construct a biography of Barneveld, it can hardly claim to be a life of the Advocate. Readers will put down the two volumes with a sense of having read a confused chronicle of perplexed events without being able to form to themselves a clear conception of the course of the narrative, of the character and policy of the man with whom it deals, or of the real causes of his tragic end. The work reads like chapters torn from their places in a longer consecutive history. The chapters are not without their interest, but they fail to compose a biography. It is worth while to examine with some care into the causes of this failure,

for they throw a light on the weak side not only of Mr. Motley but of the school of historians to which he belongs.

Mr. Motley's work is no doubt to some extent marred by defects which are personal to himself. The chief of these is an almost avowed distaste for theological controversies. Now, such a distaste may in itself be perfectly justifiable, but it is a sentiment singularly out of place in a writer called upon to narrate the events of an age which was beyond all others interested in theological controversies. Mr. Motley is himself fully aware of the character of the period. He points in general terms to the fact that every man, from King James of England down to the very fishermen of Amsterdam, felt a vital interest in the abstruse metaphysical questions which arrayed Remonstrants and Contra-Remonstrants in hostile armies. He knows the fact, he admits it, he dwells upon it; but from the first to the last page of his two volumes he never gets over a sort of surprise that any rational being should think it worth while to disturb the course of politics for the sake of the doctrines either of Calvin or of Arminius. This feeling prevents Mr. Motley from judging fairly either Barneveld or Barneveld's opponents. Moreover, it hinders him from effectively narrating the events of Barneveld's life. He does his best to explain the theological disputes of the time. He conscientiously records the Calvinistic homilies composed by King James, and delivered by King James's envoy to the statesmen of Holland. He tells of Prince Maurice's crude argument in favor of Calvinism, and recounts the Advocate's theological rejoinders. But Mr. Motley's heart is never really in this part of his work, and the narrative necessarily becomes wearisome when the author is forced to dwell on subjects in which he has no interest himself, and which he cannot therefore make interesting to his readers. But though Mr. Motley's distaste for theology certainly mars his work, this defect does not of itself explain his failure to produce a satisfactory life of Barneveld. The cause is to be found in the view of an historian's duty taken not only by Mr. Motley, but by an increasing number of modern writers.

On this subject two distinct theories prevail: the one may be termed the classical theory of history, as it is the view entertained by all the writers of Greece and Rome, and handed down by them to later historians. The primary function of a writer of history is (in this view) to narrate the events which he has selected as his topic. He is bound to ascertain the facts of the period with which he deals. He must consult documents, he must weigh the evidence of one witness against another, and to the best of his power ascertain the truth. But all this labor is preliminary to his performance of his part as narrator. It is when he begins to narrate that he assumes the character of an historian. It then becomes his function to arrange the facts he has ascertained in the best order for narrative. He must look at his work as a whole. He must arrange the parts so as to make prominent the leading features of his subject whilst throwing into the background the less important details. He depicts the nature of the institutions and the characters of the men of whom he writes, he passes judgment on their acts, and, so to speak, guides the feelings of his readers. An historian is in this view, as in any other, responsible for the truth of his assertions and for the fairness of his judgment. But he is not called upon to give his readers the mass of documents or other evidence on which his assertions rest. He labors, in short, to ascertain the truth, and presents to the world the results of his labors. But it is no more his part to expose to view the means by which these results are attained than it is the duty of an artist to show the spectators all the rough sketches he may have made before producing a finished picture. History is, in short, an art; and a work of history is a great work of art, deriving at least half its merits from the beauties of its style and the careful arrangement of its parts. So completely was this the view entertained by Greek or Roman writers, that they did not even provide their readers with the means of ascertaining the evidence on which an historian's assertion rested. Neither Livy nor Tacitus would have understood our habit of referring to authorities. The introduction, however, of the amplest reference to authorities is perfectly consistent with the maintenance in substance of the classical theory. Gibbon or Macaulay may give their readers the means of testing the truth of their statements; but neither Gibbon nor Macaulay ever dreamt of filling his pages with the documents from which his histories were composed. A second theory, which has prevailed of recent years, may, for want of a better term, be described as the "modern" view of history. On this theory, an historian should, if possible, present to his readers a mass of information which he himself has collected. He must let the persons whose acts he narrates speak in their own words. If, for example, he refers to a conversation between Henry the Fourth and an ambassador, he should present the reader, not with the result of the dialogue, but with the language used by the monarch. An historian's main function, then, becomes the collecting of documents; and a history, instead of being an elaborate work of art, tends to become a mere

mass of letters and other documents, linked together and rendered more or less intelligible by explanatory remarks. In such a system of writing, beauties of style and lucidity of arrangement must inevitably be sacrificed to the necessity of filling the text with a mass of original documents, and readers who have under their eyes the evidence on which an historian depends, may be expected to dispense with a good deal of guidance, and to pronounce their own verdict on the facts laid before them.

Of this modern view of history Mr. Motley is a distinguished adherent. He possesses in full the virtues of the school; he devotes great attention to the collection of evidence, and crams his pages with original documents (such, for example, as quotations from reports of ambassadors) which are in themselves well worth reading. The life of Barneveld, moreover, affords a singularly favorable opportunity for putting into practice the theory which he holds, for it is a theory far better suited to a biography than to a regular history. But no work ever gave clearer evidence that the scheme on which it is written is itself erroneous. Readers are utterly perplexed by the mass of details laid before them. All distribution and arrangement of parts is wanting. The first volume is a mere introduction to the second, and yet it does not contain anything like a clear statement of the facts which are needed to render the later years of Barneveld's life intelligible. Thus it is absolutely essential to the understanding of the twelve years with which the two volumes deal that the reader should have a precise view of the state of Europe in the year 1609; but for such a view he may search from one end of the book to the other in vain. No doubt Mr. Motley here and there makes efforts to explain the general posture of affairs, but he never really gives anything like a general sketch of the situation. What, again, can be more perplexed than the diplomacy of Henry the Fourth? Here, if anywhere, even a well-read student needs guidance. But he is left by our author to grope about among a mass of fragments from documents, with about as much chance of being able to construct an account of Henry's policy as he would have of mastering the intricacies of the Schleswig-Holstein question if only provided with a series of the 'Annual Register.' It is, in fact, to an Annual Register that Mr. Motley's life of Barneveld bears the closest resemblance. It is not a history. It is simply a chronicle of the events of twelve important years. The plea which may be urged in defence of this mode of historical composition is, that it prevents an author from deceiving or misleading his readers. They cannot, it is thought, be misled, because they have before them the evidence on which the writer relies, and can judge of its worth for themselves. This plea has some plausibility, for it is certainly the case that an historian's inferences are occasionally shown to be worthless when the facts on which they are grounded are placed before his readers. General eulogies, for example, of Elizabeth are deprived of much of their effect when put side by side with the proofs Mr. Froude's own work affords of the petty meanness displayed in many of her actions, and we doubt whether readers of Mr. Motley's last work will not form a lower opinion than he does himself of the character of Henry the Fourth. But the plea, though plausible, is at bottom worthless. On whatever scheme history is written, readers must always trust the judgment and fairness of the historian. It is absolutely impossible that he should put forward all the documents on which he relies. He must make a selection, and the reader must trust to his selecting fairly. It falls again upon the historian to estimate the worth of different witnesses. From this responsibility no device whatever can save him; but as long as he remains responsible for this duty, he in fact guides the judgment of his readers as much when he quotes documents as when he gives their general effect. Mr. Motley, for example, cites a story told by the preacher Trigland of a *coup d'état* contemplated by Barneveld. If the tale were true, it would certainly go far to vindicate the conduct of the statesman's enemies. Mr. Motley treats it as an obvious invention. In all probability, he is right in doing so; but as no one not versed in the politics of the time can really estimate the reasons either in favor of or against the truth of this story, we must, in effect, confide in Mr. Motley's judgment. The truth is that an historian inevitably occupies the position of a judge. He must sum up the case. His right course is to digest the evidence and present a lucid statement of its results. He may, like some unskilful magistrate, repeat the contents of an indefinite number of documents, which he just pieces together by a chain of desultory remarks and comments. In the one case he instructs, in the other confuses, his readers; but in either case, he must guide their verdict.

HÄUSSER'S LECTURES ON OF THE REFORMATION.

THE lectures of the late Professor Häusser of Heidelberg on the Period of the Reformation were published by Prof. Oncken in 1869. They labor under some of the disadvantages of a posthumous publication, made not

from the author's manuscript, but from short-hand notes taken in the lecture-room. The German editor, however, has filled up gaps with excellent skill and adequate learning. Still, the volume lacks the introductory lectures on the age preceding the Reformation which Häusser gave to his classes, but which Prof. Oncken did not take down. This is a very serious loss. The work, in its present form, begins somewhat abruptly with the posting of Luther's theses. It properly terminates with the great European settlement, the Peace of Westphalia. Häusser traces the Reformation to the Renaissance learning, and to the religious opposition to the Papacy which had been growing in strength since the great councils of the fifteenth century. This is well stated, and is correct as far as it goes; but it would be essential to a complete view to bring in that powerful element of resistance to ecclesiasticism which may be termed political, and which was developed among the monarchists, imperialists, and legists, not to speak of other classes of laymen. There are two sides to the history of the Reformation, both of which require to be fully considered in order to a just and comprehensive understanding of this period. One is the theological and religious factor, the other is the secular, or, in a large sense of the term, political. The first must have a prominent place, not only for its own sake, as comprising a great part of the *res gesta*, but also because religious motives and doctrinal conflicts essentially affected the whole course of events. It is in respect to this part of the subject that Häusser's work is deficient. For example, there is scarcely an allusion to the sacramental contest between the Lutherans and Swiss, although the division occasioned by this doctrinal conflict had a powerful effect at the crisis when Charles V. was arming against the Protestants, and otherwise modified the current of history down to the Peace of Westphalia. Naturally there is a large and perhaps disproportionate space devoted to Germany. Of the 695 pages of the volume, 333, or nearly one-half, are upon the German Reformation and the Thirty Years' War. Yet the treatment of the other branches of the subject is not superficial or cursory. As a sketch of the course of European history, especially on the political or secular side, during this era, these lectures deserve high praise. The arrangement of the matter is lucid, and follows, with some necessary deviations, the chronological order. This necessitates breaks here and there in the continuity of the narrative. Thus, the English Reformation is left on p. 179 at the close of the reign of Henry VIII., and the thread is not again taken up until we come to p. 560. This incidental evil cannot well be avoided; and, on the whole, the management of the complex material evinces rare sagacity. Häusser's learning is sufficient; but it is a matter of regret that, from the way in which the lectures are brought to the public, there are no marginal verifications of the text. Of course, opinions are frequently given which must stand upon the author's authority alone, there being no documentary support presented to the reader. Häusser is clear, concise, pointed, and without any alloy of commonplace observation. He writes freshly and vigorously, with the air of one who has made his own researches and knows the ground he stands upon. In respect to fairness, he leaves nothing to be desired. His book is a comprehensive discussion of a very difficult chapter of history, from a point of view interesting to a general student. Some of its parts are models of condensed yet clear and interesting narrative, where the salient points in the progress of events are distinctly seized upon and exhibited in a high light. The sketch of the Thirty Years' War is an instance. The reader is rapidly conducted, by a sure guide, through an extensive, tangled forest.

The estimates of remarkable men in Häusser are not vague characterizations, but definite portraits. It is worth while to notice a few of them. Gustavus Adolphus is harshly pronounced by one class of German writers a self-seeking intermeddler, bent solely on building up his own fortunes; and by another class as an utterly disinterested hero. Häusser considers him a sincere Protestant of the same stamp as the old Saxon Electors and Philip, the Landgrave of Hesse, and actuated in his intervention by commendable and lofty motives, while at the same time he had due regard to the interests of Sweden, which were endangered by the hostility of the Emperor and by the progress of the Catholic League. Of Leo X. it is said: "He was a great Mæcenas to artists and learned men, and was too much of a Medici not to be entirely indifferent to theological quarrels." Of Henry VIII., Häusser writes: "England has not had any king who possessed in so great a degree the inclination and the power to be a tyrant." His active, versatile talents and his indomitable will were united to "wild passions" and "unbridled sensuality," "which is all the more odious because a certain theological varnish was put upon it." This gives a much more true idea of the "Defender of the Faith" than Mr. Froude, with his delusive rhetoric, has imparted to many of his over-credulous readers. Cranmer is called "a prudent, pliant man, not a sharply-defined character." Coligny is described as a nobleman of the old French school, and of the best stamp. The Duc d'Aumale, in his 'History of the Princes of Condé,' has to a certain degree

* The Period of the Reformation: 1517 to 1648. By Ludwig Häusser. Edited by Wilhelm Oncken, Professor of History at the University of Giessen. Translated by Mrs. G. Sturge. New York: Robert Carter & Brothers. 1871.

disparaged this great man. There is no good reason for modifying the high estimate which has been placed upon him by the most judicious students of French history. He was a man of the most exalted virtue, even in the judgment of many of his enemies. Häusser holds that the massacre of St. Bartholomew was not thought of prior to the first abortive attempt to assassinate Coligny. This we deem to be an erroneous opinion. We agree with Ranke that the train was laid beforehand by Catherine de' Medici, without, however, any fixed resolution to fire it, but with the intention to be governed by circumstances and by the exigencies of the hour. The arrangements for convoking the Huguenots to the marriage of Navarre, and various other facts, cannot be explained except on the hypothesis that diabolical mischief was in the mind of the conspirators who were the prime agents in the final perpetration of the massacre. On the other hand, other circumstances stand in the way of the conclusion that there was, at an earlier date, an absolute resolve to carry out the plot. The Queen-Mother was fond of having more than one arrow in her quiver. The unsuccessful shot at Coligny necessitated and precipitated the execution of a scheme which, except for this failure, might not have been realized. Häusser is happy in his brief delineation of Queen Elizabeth. He points out her "weaknesses and bitternesses," but also her "great and regal qualities." Her whole life was "a manly struggle to uphold the power of the state and of the national idea, and when she had to choose between her personal tastes and fancies and the great requirements of the state, she never failed to choose the latter." This last statement hits exactly the distinctive merit of Elizabeth in contrast with Mary Stuart. Thus, Elizabeth loved Leicester as fondly and foolishly as Mary loved Bothwell. But Elizabeth governed herself, and did not make a marriage to the ruin of her realm. Mary flung herself first into the arms of Darnley, who was a fool, and then into the arms of Bothwell, who was a villain; and in both cases mainly from personal considerations, with very little regard to the well-being of the state. Elizabeth had public virtue in the midst of detestable private faults. Her mendacity, parsimony, peevishness, imperious and overbearing temper, were enough to disvest a woman of all attractiveness, and to mar many an enterprise beneficial to the kingdom. But down beneath these foibles and vices there was a vein of conscientious regard for the public good, and a fearless heart. To Charles V. Häusser accredits an abundant fund of diplomatic shrewdness. His calculations were sagacious; "but one thing he could not discover—the logarithm for the religious commotions of his time." He thought that everything could be attained by management. The force that baffled him was a moral one, which he was incapable of estimating. He could not measure it, and failed in his magnificent schemes for this reason. It is not quite true that his "mode of looking at things was exclusively political." Häusser's own statements in the context qualify this assertion. It was predominantly political until, in his later years, the old spirit of Spanish bigotry, which slumbered in him before, woke up to a controlling life. Charles V. was no hero, but a man of eminent talents, with exceptionally vast resources at his command.

Mrs. Sturge's translation is in readable English. Good taste and discrimination are frequently shown in the selection of words. The main idea of a paragraph or sentence is very seldom missed. There are, however, inaccuracies; and the fault is committed of omitting many characteristic epithets which define a shade of thought, but which may not, in all cases, be capable of an off-hand rendering. Even whole sentences are occasionally omitted. On p. 618 we read: "The religious fanaticism of the Puritans drove Charles, who was burning with impatience to begin the war, almost to despair." Häusser writes: "burning with impatience to begin the war *mit grossen Mitteln*"—with great means at his disposal. The translator goes on: "Instead of voting the needful subsidies"; in the original it is "*pressingly* (dringend) needed subsidies." Just below, at the end of the same paragraph, after saying that Parliament voted "tonnage and poundage" for only one year, Häusser adds: "This had the greater significance as this impost, since the rapid rise (*Anschwung*) of English trade and commerce, yielded a remarkably rich income"—a sentence which the translator leaves out. On p. 64, in the account of Luther's contest with the Wittenberg radicals, the translator says: "In the midst of his studies news arrived," etc. Häusser writes: "In the midst of his quiet (*stille*) studies," etc. "Out of the commotion," says the translator, "which he had stirred up, another school of reformers had arisen who went much further than he did, for whom his proceedings were not thorough, nor his programme decisive enough." Here the meaning of the first part of the sentence is mistaken, and words are left out. We translate thus: "From the movement which had been excited by him, another school of reformers had sundered themselves [*sich abgelöst*—broken off] who went further than he, to whom his manner of proceeding was not sufficiently rough and decided, and his programme not sharply enough defined."

In the next paragraph "the zealots of Zwickau" are called, in the translation, "the zealots of Zurich." "A certain consistency," for "a certain rigid [strenge] consistency"; "draw the line," for "draw the line exactly [genau]"; "vehemence of his character," for "the growing roughness [*zufahrenden Derbheit*] of his nature"; "one of his peculiar gifts," for "one of the greatest qualities of his nature [*grössten Eigenschaften seiner Anlage*];" "to strike a decisive blow at a declining religion," for "to demolish at the first onset an old religion which is in a state of decline"; "there are many things which an individual may do, or leave undone," for "there are many things, which are not enjoined, which the individual may do, or not do"—these are the blemishes which we have noticed in the rendering of a single paragraph. Luther is made to say to the radicals: "You have set about it without me, and so you may see how you can get out of it without me." It should be given thus: "You have begun it without me; see, then, how you can carry it through [*hinausführen*] without me." The translator makes Luther say: "It is he [the devil] alone that has set about it, to bring disgrace on the Word." The meaning really is: "The devil has begun it for this reason alone, to bring shame on the Word now begun to be preached [*angefangene Wort*]." Of Calvin it is said that "he was adhering to the old Catholic principle in maintaining that church and state," etc. Häusser writes: "He stood fully (*ganz*) on the ground of the old Catholic view in this particular, that he adhered to the theocratic idea that the church and state," etc. These omissions of words or phrases are numerous. On p. 272, the Jesuits are said to have been "incomprehensible" to their adversaries. The word is "unfassbar"; they were too flexible and evasive to be grappled, or seized upon. On p. 274, we have "intellectual activity," in the room of "activity of intellectual intercourse," which alters entirely the sense of the statement. Häusser does not say that there was less intellectual activity at the era of the Reformation than now. This might not be true. The whole sentence is wrongly translated. "When the influence" of Rome, says the translator, "was completely dominant in the southern monarchies, and extended northward to a considerable distance, and when defection from Rome was far less general," etc. It should read: "When the influence [of the Roman See] directly swayed the southern monarchies, and, moreover, stretched far towards the north, where the defection from the old church was not absolutely universal," etc. In describing the Huguenots under Francis I. and Henry II., Häusser reckons among them "individual sectaries possessed of learning" (*einzelnen gelehrten Sektirern*). For "sectaries," the translator substitutes "sects"—a serious error. On p. 452, it is said that the court of the father of Gustavus Adolphus was visited by "officers from almost all the European courts"; "*Heere*" being rendered "courts," instead of "armies." He read several languages "fluently"; Häusser writes "*vollkommen geläufig*," with perfect fluency. He "amused himself with Xenophon." The phrase is "*erbaute sich an seinem Xenophon*"; literally "edified himself upon his Xenophon"—that is, cultivated his mind by intercourse with this favorite author.

We have not hunted for these instances of erroneous or infelicitous translation. The passages where they occur were selected at random. These defects are not sufficient to condemn the translation, which is probably fully up to the average merit of English translations from the German. They show, however, that it might be much better, and that persons who can read German would do well to resort to the original.

Fine Arts.

THE NATIONAL ACADEMY EXHIBITION.

I.

A SPECIAL effort was made this year by the President and his aids to induce our artists to appear by their works on the Academy walls, instead of being conspicuous by their absence, as they long have been. The painters consented, and most of them have lent something; it is a full representation of men, but not of works, for it does not appear that any one of them had a particularly ambitious picture on hand. All the names are upon the catalogue, but the representation is of a thin quality. Allowance being made, however, for the delusions of hope, it is a satisfactory April exhibition; the present year has broken up a most mischievous legend—that, namely, which taught that publicity in the exhibitions of the Academy was damaging to the success of a picture. The loans have sold well; the spring opening of the Academy has become what it should be—the opening of a bourse. Enough has been done to encourage artists to prepare their very best work hereafter, with the special design of sending it to the annual

exhibition; and thus, as we believe, the success as a policy is still more influential and practical than as a display. It is to be noted, further, that the public have broken their bad habit of attending simply once, in a large, opaque, blind mass upon the opening night, and studiously absenting themselves thereafter; they are still looking diligently at the pictures, with an attention that makes the exhibition prosperous, and the four hundred works of art are having a lively mission, whether in correcting public taste or in being corrected.

Our figure-art is still in evident subordination to landscape, and in figure-painting, such as we see it here, the flights are timid and unambitious. Costume-subjects and humorous genre are the favorite efforts of our approximately unlettered muse, who has her moments of introversion, however, and occasionally expresses mild narrative or pastoral not ungracefully. It is a favorable turn, indeed, thus to forsake humors for thoughts; and we have had special gratification at seeing the progress in this kind of such an artist as Mr. William Magrath, who sends three pictures of various but equally delicate feeling. This painter was last year exhibiting monastic comedy—monks carousing like Lippo Lippi, or pausing to glance at a Venus of Titian's. His success with idyllic subjects, such as those lately shown among the water-colors, or those now on view, is certain to be far more solid, since the pictures are good, and since his former vein of satire is one which in this country must ever have the feebleness of a borrowed jest. In the piece called "Faltering Footsteps," where a gray couple are descending a gray road, with the sentiment of goodwife Anderson and her jo, there is excellent, austere painting of shadowed ground, and landscape brought into unison with human tenderness. In 146, where the effort is to harmonize landscape emotion with ordinary modern figures, the success was more critical, but is not inferior; and the water-color, 37, shows a delicate decorative power of vignetting a composition with trees and shadows. Mr. Magrath's line is certainly not original; long ago Mr. Boughton struck the same chord, and has been playing on it ever since. Mr. Magrath's hand is as yet heavier than Mr. Boughton's; the figures are a little murky at the outlines, tormented in the working out, and set with some effort into the harmony; but the chord is the same, and it is curious to note that Mr. Magrath succeeds abundantly in expressing a sort of reposeful, introverted condition of thought which has been deemed contrary to the genius of American life. Years ago, Mr. Boughton fled, with his reveries under his arm, declaring in effect that he could not arrange them for public view in this country; the newer man, however, seems to find and keep the thread of emotion in the full roar of Broadway, in that lack of "atmosphere," paraphernalia, and models which American artists so deplore. The air in his pictures is as gray, as feudal, as if it had been breathing over any quantity of ruins, and his human beings have the leisure to collect themselves and form the habit of feeling. This elevation is an affair of character, doubtless, and it goes to prove that a picture results not from what a painter finds abroad, but what he discovers in himself. Any one of these compositions has the power of possessing the mind fully, removing us from our own mood to somebody else's mood; they carry us away successfully—what a triumph it would be if they might bring Mr. Boughton home! The latter artist still keeps recollecting in England his delicate American beauties and his wasted, hollow-eyed American men. The direction he is taking seems to make him dwell more and more on the development of pathos in landscape, and to subordinate humanity still further; but nothing can well be purer than the song-like expression of his scenery, accented just at the right place and moment with a figure or two in studied keeping. In 272, two women, wan and gaunt, in light costumes of the Regency, pass, by a deserted cart-track, over fields white with thistles in seed; in the distance are other figures and a tracery of well-varied tree-forms, while the birches in the foreground repeat the note of pallor as they lean, wrapped about with ragged bandages of thick, white bark, almost as if nature itself were maimed and out of joint in countenance of the desolate women with their moods and their histories. In another picture, against a good cold coast-scene, Miles Standish leads his men into the North to fight the savages; they are admirable, but we think their analytic character-study has degenerated undeniably into a manner. All intellectual, bookish men of the same paternity, guided by an Indian similarly sad-eyed and scholarly in appearance, they lack the expression of out-of-door habits and careers; at least, it was not very lucky to send them into the world labelled with that particular quotation which compares them to the mighty men of David, bred to outlawry in the cave of Adullam. In either picture there is the old charm of atmosphere for which we have learned to rely on Mr. Boughton, and in which it seems he does not know how to fail—atmosphere muffled with palpitating vapor, whether cold or bland.

Another artist, who has in his time had his own successes in revealing idyllic thought, is Mr. Elihu Vedder, who this year sends two pictures from Rome. One is a sort of Decameron, with youths and maidens treading a

measure in a garden, their figures pranked with dresses that might have been studied from Gentile Bellini. There is a successful effort, one of the hardest that artists of our time can make, to sweep away from these personages all trace of nineteenth-century thought, and restore the vacant, animal, unconscious faces of Venetian heroines; each figure is "of one jet," and blends artlessly into the pageant-motive of the piece, which is a mere decoration with a polychrome frame. The action of the persons, as they turn in the dance or balance their bodies rhythmically while waiting for a place, is quite light and easy, and the panel fulfils its intention as a softly-evolving harmony or a frieze of cheerful attitudes. Mr. Vedder has another scene, with a little peasant-girl passing one of the staircase streets of Italy, littered with brushwood and encumbered with worn-out mill-wheels and rubbish; the sky is good, but the shadow that drops over the walls and tones a great part of the picture strikes us as opaque and unfeeling. There is another decorative panel in the exhibition beside Mr. Vedder's, and it has given much sardonic delight of a very pure quality. It is seemingly an Italian study, too, and is not unlike some of the compositions of the Peruginese. "The Song," despatched from Paris by Mr. Van Schaick, depicts a communistic fraternity of the Brook-Farm order, sitting on a bench while somebody sings; Margaret Fuller—a perfect New England type—with great mental calmness and superiority to prejudice, beats time for the music of an advanced young communist who has cast off his last superstitions and garments. In conception it is too *gauche* for serious criticism, though full of excellent painting and plain proofs of skill; until Mr. Van Schaick can harmonize ideal conceptions and realistic technic, he must hang in limbo with Mr. Terry, who justifies his great renown obtained among the society of tourists in Italy by sending an altar-piece of the most deplorable stupidity. Mr. C. C. Coleman records his Italian travels, on the other hand, by some memoranda that were quite worth taking, and are modestly and laboriously good. The chapel in Perugia, indeed, with representations of all the mural paintings, is of a kind which it would be a mistake to paint too often; to copy a quantity of old masters as they hang, lowering their tone to throw up the glitter of the carved frames, and distorting them for the perspective, is to do a thankless and un instructive act of homage; if the artist wants more than the photograph will give him, there are hosts of indigent painters studded about in every fine interior from the Louvre to the Doge's palace who perform these things very well indeed for a pittance as mere artisan labor. Mr. Coleman, however, has executed neatly his disagreeable task, and has enlivened the scene with a pair of lovers, standing there all alone and uninterrupted, under we know not what circumstances; in these figures the artist shows painful care without felicity, as he does elsewhere in his interesting range or line of contadini, strewn along a wall at regular intervals in the manner of Bonnat.

Pastoral painting divorced from sentiment is well indicated by Mr. Bridgman, who contributes a scene with French peasantry and a team of oxen. The oxen are admirable and of delicious tawny color; the sky and screen of trees, both like painted metal, are too much in the style of Rosa Bonheur; the young farmer is blocked out in a rude, decisive, daylight fashion that is really admirable for skill. The figure is expressed in the manner which Mr. Homer has been trying to catch during the last dozen years, always with a strange pause at a certain stage of the development. Mr. Homer has massed out figures as well as this is done; but he perhaps never painted such a pair of tough country-boy's hands.

Mr. Guy paints rusticity, too, but in another manner; his child with a cow, his girl plucking a morning-glory, are monuments of patient surface. But, unhappily for himself, Mr. Guy loves a certain obdurate, inexorable smoothness which is totally devoid of unction, and almost as expressionless as the cover of a book; the finish he triumphantly arrives at is at once soft and unimpressible, as of dolls' bodies rigid with bran, or gloves made into a tight roll; there is a peculiar complacency with which he endows every object in nature—cows, leaves, and persons—with this triumph of smoothness. At the same time, if he could escape a little from out his own tightness, he has qualities of expression and ingenuity which would make him a most agreeable genre artist. We do not stop to examine his enormous piece of task-work, finished and sent in among the works of art like a slave among freemen. What has struck us most in the family group we refer to is the deplorable figure cut by what is presented as an American home—the complete want of individuality in the furniture, the expressionlessness of every inch of background, the machine-made look of the carvings, the iron oppressiveness of the black arched moulding, completely at war with the wall decoration, etc. The caricaturing of this wretched rigid family, all silent and all cramped, is as good as a crusade against Philistia. It is a relief to turn from it to Homer's charming truant, who swings sketchily beside it in her hammock, with an enjoyment of staying away from church which has just the element wanting to the Marchesa's ice-cream in the story—

that there is a sin in it. Mr. Huntington, who tries his muscle occasionally in the line of genre, contributes a scene with Titian and Charles V., full of a suave, polite mannerism that has descended amongst us from a past school, and is far from disagreeable. Mr. Huntington tells us of no new studies; but he continues the successes that were without a rival in the day when they were first invented and displayed. Mr. Eastman Johnson is either sleeping on his laurels or retiring from active exertion; neither his youth nor his age, his doll-nursing children nor his old prisoner, is very decided in expression; he seems to be practising a sort of surface that is positively

textile in quality—unravelling and flimsy; nothing he shows this year recalls the excellence of his "Stage-coach" or of the fascinating study of his wife in her garden catching a bee in a flower. The miniaturists are restricted this season to Mr. Irving and Mr. Knight. Mr. Irving is laborious and careful; but Mr. Knight, in his beautifully-toned picture, painted in the open air, of an ancient *émigré* pottering among his flowers, shows a sense of harmony that places him already in advance of men like Fichel, Pécrus, and Escosura, with a promise of attaining still nearer to the perfection of Meissonier or Vibert.

AUERBACH'S WORKS.

WALDFRIED. A Novel. 12mo, cloth, \$2.

VILLA ON THE RHINE. 2 vols. "Leisure-Hour Series," \$2 50; pocket edition, 4 parts, paper, \$1 50.

BLACK FOREST VILLAGE STORIES. \$1 25.

JOSEPH IN THE SNOW. \$1 25.

LITTLE BAREFOOT. \$1 25.

RECENT PUBLICATIONS.

SUMNER'S AMERICAN CURRENCY. \$3.

CHESNEY'S MILITARY ESSAYS. \$2 50.

DEUTSCH'S TALMUD AND other Literary Remains. \$4.

HARDY'S DESPERATE REMEDIES. \$1 25.

MRS. ALEXANDER'S 'THE WOODING O'Y.' \$1 25.

HENRY HOLT & CO.,

NEW YORK.

THE BEST SHORT-TRIP GUIDE TO EUROPE.

HURD & HOUGHTON,

THE RIVERSIDE PRESS,

New York;

Cambridge.

Have now ready the edition for 1874 of 'A Satchel Guide for the Vacation Tourist in Europe.' The points noticeable in this edition are:

1. Maps, engraved expressly for the book and marked by the same accuracy and usefulness.
2. Revision of prices and scrupulous regard for the latest information on every point.
3. A Traveller's Calendar of ecclesiastical and popular festivals, pilgrimages, fairs, etc.—a feature never before introduced in a guide-book.

'A Satchel Guide' has taken its place as the most accurate and comprehensive compact guide yet published for American use. It gives the traveller the precise information he requires, and indulges in no waste of words.

Price in full leather, \$2.

For sale by all Booksellers.

CHOICE BOOKS.

FERGUSON'S HISTORY OF ARCHITECTURE. 3 vols. 8vo, London, 1865. \$45.

AUDUBON'S BIRDS OF AMERICA. Original 8vo edition, 7 vols. half calf, \$150.

HOBBS'S WORKS, English and Latin. Collected and edited by Molesworth. 16 vols. 8vo, cloth, London, \$15.

CONTES DROLATIQUES. Translated into English, and illustrated by Gustave Doré. 1 vol. post 8vo, cloth, gilt top, \$5.

MARY AND CHARLES LAMB: Poems, Letters, and Remains. Now first collected, with Reminiscences by W. Carew Hazlitt. 1 vol. post 8vo, cloth, \$3 25.

HISTORY OF BOOKSELLERS, THE OLD AND THE NEW. By Henry Curwen. With Portrait and Illustration. 1 vol. post 8vo, cloth, gilt top, \$2 50.

HENRY MILLER,

Bookseller, Bookbinder, and Importer of Fine Illustrated and Standard Books, 82 Nassau Street, New York. Catalogues mailed on application.

HARPER'S CATALOGUE. The attention of those desiring to form libraries, or increase their Literary Collections, is respectfully invited to Harper's Catalogue, which comprises a large proportion of the standard and most esteemed works in English Literature—comprehending over three thousand volumes.

Librarians, who may not have access to a trustworthy guide in forming the true estimate of literary productions, will find this Catalogue especially valuable for reference.

The Catalogue is arranged alphabetically by the authors' names, anonymous works by their titles. The index is arranged by the titles of the books, besides having numerous appropriate heads, each general head being followed by the titles of all works on that subject.

Harper's Catalogue sent by mail on receipt of six cents.

Address HARPER & BROTHERS,
Franklin Square, New York.

D. APPLETON & CO.,

549 and 551 Broadway, New York.

Publish this day:

I.

PRINCIPLES OF MENTAL PHYSIOLOGY.

With their Applications to the Training and Discipline of the Mind and the Study of its Morbid Conditions. By Wm. B. Carpenter, M.D., LL.D. 1 vol. 12mo, 737 pages, price \$3.

"Dr. Carpenter has won his reputation as a physiologist largely from the clearness of his expositions, and the present work shows that his capacity in this respect is still vigorous. Its most scientific parts are attractive reading, and the extensive array of personal instances and incidents which illustrate his positions gives great fascination to the volume."

"It is a hard book to lay down when once entered upon, and Dr. Carpenter may be congratulated upon having contributed so fresh a book upon such an important subject."—*Popular Science Monthly*.

II.

THE EXPANSE OF HEAVEN:

A Series of Essays on the Wonders of the Firmament. By R. A. Proctor, B.A. 1 vol. 12mo, cloth, price \$2.

"A very charming work."—*Standard*.

"Perfectly adapted to their purposes—namely, to awaken a love for science, and at the same time to convey, in a pleasant manner, some elementary facts."—*Church Herald*.

Either of the above, when not to be had in book-stores, sent post-paid by mail to any part of the United States on receipt of the price.

JUST RECEIVED:

A fresh supply of the well-known

BAEDEKER'S EUROPEAN

Guides in English. Latest editions, with many maps, plans of cities, panoramic views. Bound in cloth.

Northern Germany, \$2 25.

The Rhine, \$2 25.

Southern Germany and Austria, \$3 50.

Switzerland, \$2 65.

Belgium and Holland, \$1 80.

Paris, \$2 25.

Italy, Northern, \$2 65.

Central, Southern, 2 vols., each \$2 25.

Postage, 10 cents per volume.

B. WESTERMANN & CO.,

524 Broadway, New York.

FOREIGN BOOKS Reviewed in the

Nation, and books in all languages, at
SCHOENHOF & MOELLER'S,
Importers, 40 Winter Street, Boston.

LIBRARY BOOKS

The time spent in reading most Novels is utterly wasted. Buy, then, good books which will both interest and instruct you and your children after you.

The Intellectual Life. 8th Edition. \$2 00
Thoughts about Art. 3d Edition. \$1 00
A Painter's Camp. 3d Edition. \$1 50
Chapters on Animals. 25 plates. \$2 00

These works are by Philip Gilbert Hamerton, a writer who is very widely admired.

Mrs. Somerville's Personal Recollections. 6th Edition. \$2 50

Margaret Fuller's Works. 6 vols. \$3 00

Thorwaldsen's Life and Works. \$4 00

Sarah Tytler's The Old Masters. \$1 50

Sarah Tytler's Modern Painters. \$1 50

Sold everywhere. Mailed, post-paid, by the Publishers,

ROBERTS BROTHERS,

Boston.

Published this Day.

A MANUAL OF FRENCH POETRY,

with Historical Introduction and Biographical Notices of the Principal Authors. For the use of the School and the Home. Cloth, 550 pages.

By A. H. Mixer, A.M., Professor of Modern Languages in the University of Rochester. Price \$2. By mail, for examination with a view to introduction, on receipt of \$1 50.

The selections are made in chronological order, and cover the whole range of French poetry to the present time. Much care and critical skill have been exercised in making them, while the biographical notices are of sufficient fulness to give a fair knowledge of each author and of his distinctive characteristics in style, etc. With all the leading authors, standard Paris editions have been used, so as to ensure correctness in text. The book is very handsomely printed and bound.

A NEW TREATISE ON THE

French Verbs, including an Easy and Practical Method for Acquiring the Irregular Verbs, and the Rules for the Present and Past Participles. Cloth, 125 pages. By Alfred Hennequin, M.A., Instructor in French in the University of Michigan. Price 90 cents.

Prof. Hennequin was a pupil of the late Prof. Faguelle, and is his successor in the University of Michigan. His work has already been added to the list of books to be used in that University, and examinations in it are required in the admission of students to the institution. Dr. Angell, the President of the University, says: "We consider the work to be truly valuable to students and teachers of the French language; nothing has yet been published which can take its place."

The volume comprises about 125 pages, and is very beautifully printed and bound.

THE EDUCATIONAL REPORTER, full of interesting and valuable educational information, is published three times a year, bearing date respectively January, May, and September, and will be sent to teachers and educationists without charge on application.

IVISON, BLAKEMAN, TAYLOR & CO.,

EDUCATIONAL PUBLISHERS,

Nos. 138 and 140 Grand Street, New York.

THE WEEK IN TRADE AND FINANCE.

NEW YORK, May 4, 1874.

THE money market has remained quiet during the week, with the rate steady at 3 to 4 per cent. on call loans. Commercial paper is in good request, prime names passing at 6 to 7 per cent., and the tendency seems to be towards greater ease in rates. The Bank of England lost £584,000 in bullion for the week ending on Thursday last, and the minimum rate of discount was advanced by the directors on that day from 3½, at which it had stood for several months past, to 4 per cent. The rate of interest in the open market in London is reported to be ruling at about ½ below the Bank discount rate.

The statement of the New York Clearing-house banks, published on Saturday, was favorable as compared to that of the previous week. The gain in the total reserve is \$2,396,600, while the liabilities show a slight falling off. The banks now hold, in legal-tenders and specie, \$15,149,825 above the 25 per cent. of total liabilities—a gain of \$2,420,900 over the surplus of last week. The following are the statements for the past two weeks:

	April 25.	May 2.	Differences.
Loans.....	\$288,423,500	\$286,571,300	Dec... \$1,849,200
Specie.....	23,336,400	24,639,600	Inc... 1,303,200
Legal tenders.....	54,739,600	55,833,000	Inc... 1,093,400
Deposits.....	234,486,700	234,401,500	Dec... 85,200
Circulation.....	26,901,600	26,880,600	Dec... 12,000

The tendency of the stock market during the early part of the week was towards improvement in prices; but, after quotations had been marked up, it was evident that buyers did not appear, and the result was a fall of from 1 to 4 per cent. in prices, Saturday and to-day, as compared to the highest of the week. This afternoon the market closed very weak, and with every indication that some of the large holders were selling. It is noticeable that those stocks known as the "light fancies"—such as C. C. and I. C., Ohio and Mississippi, St. Paul and Hannibal and St. Joseph—were exceptionally weak; and

one inference to be drawn from this is that holders have been induced to examine into the intrinsic value of such "securities," and that their investigations have influenced them in selling out; the absence, just at the time, of powerful cliques in the different stocks of this class has left the market without support, and prices have accordingly given way. For instance, C. C. and I. C. suddenly fell off from 22½ to 18½; St. Paul from 39½ to 32½; and Hannibal and St. Joseph from 31½ to 29. Western Union Telegraph stock has also been weak, selling down from 75½ to 71½.

The following shows the highest and lowest sales of the leading stocks at the Stock Exchange for the week ending Saturday, May 2, 1874:

	Monday.	Tuesday.	Wed'day.	Thursday.	Friday.	Saturday.	Sales.
N. Y. C. & H. R. x	94	94	94	94	94	94	41,500
Lake Shore.....	75	75	75	75	75	75	134,400
Erie.....	35	35	35	35	35	35	18,400
Union Pacific.....	32	34	34	35	35	35	172,000
Chl. & N. W.....	45	47	46	48	47	47	47,900
Do. pfd.....	65	66	66	66	66	66	900
N. J. Central.....	105	105	105	105	105	105	21,900
Rock Island.....	98	99	99	99	99	99	34,600
Ill. & St. Paul.....	36	38	37	38	38	38	500
Do. pfd.....	56	57	58	58	58	58	45,600
Wabash.....	41	42	42	43	43	43	3,400
D. L. & W.....	105	106	106	106	106	106	13,600
O. & M.....	25	27	27	27	27	27	16,900
C. C. & I. C.....	22	22	22	22	21	21	343,700
W. U. Tel.....	70	73	74	73	73	73	124,600
Pacific Mail.....	42	43	43	43	43	43	

Government bonds have been quite active. The foreign demand is reported to be brisk, especially for bonds of small denominations, which comes almost wholly from Germany. The Secretary of the Treasury, it is reported, has succeeded in exchanging some \$500,000 of the new fives of 1881 for a like amount of the 5-20s of 1862 with a leading banking-house in this city.

The following are the closing quotations of U. S. bonds, Monday, May 4:

U. S. 6's of 1881.....	121½@122	U. S. 5-20, 1867.....	120½@120½
U. S. 5-20, 1862.....	115½@115½	U. S. 5-20, 1868.....	120@120½
U. S. 5-20, 1864.....	117½@117½	U. S. 5's, 10-40.....	115@115½
U. S. 5-20, 1865, May and Nov.....	118@118½	U. S. 5's of 1881.....	115@
U. S. 5-20, 1865, Jan. and July.....	119½@119½		

MITCHELL'S NEW OUTLINE MAPS,

POLITICAL AND PHYSICAL COMBINED,
EXCELLING ALL OTHERS IN
BEAUTY, ACCURACY, AND CHEAPNESS.

I. SMALL SERIES,
COMPRISING

1. The Hemispheres, size, 24 x 28 in.
2. North America, " 24 x 28 in.
3. The United States, double " 28 x 48 in.
4. South America, " 24 x 28 in.
5. Europe, " 24 x 28 in.
6. Asia, " 24 x 28 in.
7. Africa, " 24 x 28 in.

With Names. On Rollers.
Only Ten Dollars a Set.

A Key gratis with each set. The lowest-priced Wall Maps published.

II. LARGE SERIES,
COMPRISING

1. The Hemispheres, size, 50 x 63 in.
2. North America, " 55 x 63 in.
3. The United States, " 49 x 74 in.
4. South America, " 52 x 63 in.
5. Europe, " 50 x 63 in.
6. Asia, " 55 x 63 in.
7. Africa, " 54 x 63 in.

Without Names. On Rollers.
Only Twenty Dollars a Set.

A Key gratis with each Set.

Both Series are beautifully colored (either physically and politically, or politically alone), varnished, and securely mounted on muslin.

They are the handsomest and cheapest Maps published.

They are the most accurate and useful Maps published.

In ordering, please specify particularly which kind is desired.

Descriptive Circulars furnished on application.

J. H. BUTLER & CO.,

723 Chestnut Street, Philadelphia.

JORDAN AND VAN FLECK'S Popular Key to the Birds, Reptiles, Batrachians, and Fishes of the Northern States. 850 species characterized. Paper, 75 cents; flexible covers, \$1.25. Address Prof. D. S. JORDAN, Appleton, Wisconsin.

NOW READY.

Charles Sumner's Great Work,

PROPHETIC VOICES CONCERNING AMERICA. By Hon. Charles Sumner. Cr. 8vo, clo. extra, with Portrait. \$2.

"The true philosophy of history."

THE SECRET OF CHRISTIANITY. By Rev. S. S. Heberd. 12mo, clo., \$1.50.

"The admirable essayist."

BRIEF ESSAYS AND BREVITIES. By Geo. H. Calvert, author of 'Goethe: His Life and Works. An Essay.' 12mo, \$1.50.

"'Tis sweet to be remembered."

A BRIEF NARRATIVE OF THE HUTCHINSON FAMILY. Sixteen Sons and Daughters of the "Tribe of Jesse." By "Joshua." 16mo, paper, 35c.

For sale by all Booksellers. Sent post-paid on receipt of the price.

LEE & SHEPARD,

Publishers, Boston;

LEE, SHEPARD & DILLINGHAM,

New York.

"PAPA'S OWN GIRL." By Marie Howland. One of the keenest reviewers in this country says: "This great American Novel is grander than anything George Eliot ever wrote." What higher praise could it have? Published by JOHN P. JEWETT, 27 Clinton Place, New York. Lee & Shepard, Boston. For sale by all Booksellers. Price \$1.75.

NOW READY.

A NEW WORK BY DR. BUSHNELL.

FORGIVENESS AND LAW.

By Horace Bushnell, D.D., author of 'The Vicarious Sacrifice,' etc.

One vol. 12mo, cloth, \$1.75.

'The Vicarious Sacrifice' is one of the most notable contributions ever made to American theological literature, and this volume, 'Forgiveness and Law,' derives additional interest and importance from the fact that it is designed to retire the last half, or Parts III. and IV., of 'The Vicarious Sacrifice.' For the exposition of the atonement doctrine which he there gave Dr. Bushnell has substituted what he now regards as a more Scriptural and better view. The reader will at once see the same hand and, to a great extent, the same mind in this new exposition, which will be eagerly anticipated by all interested in theological discussions.

Sent post-paid upon receipt of the price by the Publishers.

SCRIBNER, ARMSTRONG & CO.,

654 Broadway, New York.

J. W. BOUTON'S PRICED CATALOGUE

(41) of Choice Recent Importations and Purchases, comprising Standard and Miscellaneous Authors, Works on Witchcraft, Sorcery, Magic, Provincial and Anglo-Saxon Glossaries and Dictionaries, Fine Arts, Galleries of Engravings, Etchings, Architecture, Antiquities, etc., etc. Now ready, and sent to any address upon receipt of stamp to pay postage.

J. W. BOUTON,

706 Broadway, New York.

